AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Pages 15275–15311

FEDERAL REGISTER

VOLUME 29 NUMBER 223

Washington, Saturday, November 14, 1964

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UNITED STATES STATUTES AT LARGE

[88th Cong., 1st Sess.]

Contains laws and concurrent resolutions enacted by the Congress during 1963, reorganization plan, and Presidential proclamations. Included is a numerical listing of bills enacted into public and private law, and a guide to the legislative history of bills enacted into public law.

Price: $7.50

Published by Office of the Federal Register, National Archives and Records Service, General Services Administration

Order from Superintendent of Documents, Government Printing Office, Washington, D.C. 20402

FEDERAL REGISTER

Area Code 202 Phone 963-3261

Published daily, Tuesday through Saturday (no publication on Sundays, Mondays, or on the day after an official Federal holiday), by the Office of the Federal Register, National Archives and Records Service, General Services Administration (mail address National Archives Building, Washington, D.C. 20408), pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U.S.C., ch. 8B), under regulations prescribed by the Administrative Committee of the Federal Register, approved by the President (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.

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Rules and Regulations

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

[Amdt. 12]

PART 722—COTTON

Subpart—Acreage Allotment Regulations for the 1964 and Succeeding Crops of Upland Cotton

1965 FARM DOMESTIC ALLOTMENTS AND NEW COTTON FARM ELIGIBILITY

(a) This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This amendment provides for the establishment of farm domestic allotments for 1965 and also provides an additional limitation on new cotton farm eligibility.

(b) Notice of a proposal to amend the regulations to provide an additional limitation on new cotton farm eligibility was published in the FEDERAL REGISTER on July 25, 1964 (29 F.R. 10399) in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003). No written submissions were received in response to such notice. Since the establishment of farm domestic allotments for 1965 requires immediate action by the Agricultural Stabilization and Conservation State and county committees, it is essential that this amendment be made effective as soon as possible. Accordingly, it is hereby determined and found that compliance with the notice, public procedure and 30-day effective date requirements of section 4 of the Administrative Procedure Act is impracticable and contrary to the public interest and this amendment shall be effective upon filing this document with the Director, Office of the Federal Register.

The acreage allotment regulations for the 1964 and succeeding crops of upland cotton (28 F.R. 11041, as amended) are amended as follows:

1. Section 722.212(b) of the regulations is amended by adding at the end thereof a new subparagraph as follows:

§ 722.212 Allotments for new cotton farms.

* * * * *

(b) *Eligibility of a new cotton farm for a cotton allotment.* * * *

(6) A farm which includes land acquired by an agency having the right of eminent domain for which the entire cotton allotment was pooled pursuant to Part 719 of this chapter which is subsequently returned to agricultural production shall not be eligible for a new cotton farm allotment for a period of three years from the date the former owner was displaced from the acquired farm.

* * * * *

2. The following new section is added immediately after § 722.228 of the regulations.

§ 722.229 Farm domestic allotments for 1965.

Section 350 of the act provides for the establishment of farm domestic allotments for 1965. The farm domestic allotment percentage of 65 percent was established for 1965 under § 722.258(c) (29 F.R. 14215). The county committee shall establish a farm domestic allotment for each farm for 1965 which shall be 65 percent of the smaller of (a) the 1965 farm allotment after release and reapportionment, or (b) the acreage actually planted or regarded as planted to cotton under the conservation programs on the farm in 1963 or 1964, whichever acreage was higher, except that if the acreage actually planted or regarded as planted to cotton under the conservation programs on the farm in (1) 1963 was 90 percent or more of the farm allotment for 1963 after release and reapportionment or in (2) 1964 was 90 percent or more of the farm allotment for 1964 after release and reapportionment (1964 farm domestic allotment on a farm receiving price support for 1964 under section 103(b) of the Agricultural Act of 1949), the entire amount of such farm allotment shall be deemed actually planted on the farm for purposes of this section: *Provided*, That the minimum 1965 farm domestic allotment for any farm from which no allotment is released for 1965 shall be the smaller of 15 acres or the farm allotment including any reapportioned acreage.

(Secs. 344, 350, 375, 63 Stat. 670, as amended, 78 Stat. 175, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1350, 1375)

Effective date: Date of filing this document with the Director, Office of the Federal Register.

Signed at Washington, D.C., on November 9, 1964.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-11630; Filed, Nov. 13, 1964; 8:48 a.m.]

[Amdt. 3]

PART 722—COTTON

Subpart—Acreage Allotment Regulations for the 1964 and Succeeding Crops of Extra Long Staple Cotton

ALLOTMENTS FOR NEW ELS COTTON FARMS

(a) This amendment is issued pursuant to the Agricultural Adjustment Act of 1938, as amended (52 Stat. 31, as amended; 7 U.S.C. 1281 et seq.). This amendment provides an additional limitation on new ELS cotton farm eligibility.

(b) Notice of this proposed amendment was published in the FEDERAL REGISTER on July 25, 1964 (29 F.R. 10399) in accordance with section 4 of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003). No written submissions were received in response to such notice.

Section 722.312(b) of the acreage allotment regulations for the 1964 and succeeding crops of extra long staple cotton (28 F.R. 11034, as amended) is amended by adding at the end thereof a new subparagraph as follows:

§ 722.312 Allotments for new ELS cotton farms.

* * * * *

(b) *Eligibility of a new ELS cotton farm for an ELS cotton allotment.* * * *

(6) A farm which includes land acquired by an agency having the right of eminent domain for which the entire ELS cotton allotment was pooled pursuant to Part 719 of this chapter which is subsequently returned to agricultural production shall not be eligible for a new ELS cotton farm allotment for a period of three years from the date the former owner was displaced from the acquired farm.

* * * * *

(Secs. 344, 375, 63 Stat. 670, as amended, 52 Stat. 66, as amended; 7 U.S.C. 1344, 1375)

Effective date: Thirty days after publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on November 9, 1964.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 64-11629; Filed, Nov. 13, 1964; 8:48 a.m.]

Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar) Department of Agriculture

SUBCHAPTER E—DETERMINATION OF SUGAR COMMERCIALLY RECOVERABLE

[Sugar Determination 831.4, Rev. 1, Supp. 1, Amdt. 1]

PART 831—BEET SUGAR AREA

Rates of Recoverability; 1964 Crop

Pursuant to the provisions of section 302(a) of the Sugar Act of 1948, as amended, and paragraph (c) of § 831.4 of this chapter, § 831.11 of this chapter is amended by adding the following sentence immediately after the tabulation in paragraph (a) thereof:

§ 831.11 Rates of recoverability; 1964 crop.

* * * * *

(a) * * *

The hundredweight of sugar, raw value, commercially recoverable from sugarbeets of the 1964 crop, produced in the Finger Lakes area of New York and

processed by Buckeye Sugars, Inc., shall be computed by multiplying the net weight of sugarbeets (in tons) marketed by 2.743 which is the rate of commercially recoverable sugar computed for the Ottawa, Ohio, settlement area of Buckeye Sugars, Inc., for the 1964 crop.

* * * * *

STATEMENT OF BASES AND CONSIDERATIONS

For the 1964 crop year, sugarbeets were planted on about 150 acres in the Finger Lakes area of New York State. These plantings represented a continuation of tests preparatory to the beginning of commercial beet production in 1965 for the new factory being built in central New York. Since no cossette test data is available for the Finger Lakes area and since individual factory tests will not be made on grower's beets, this supplement provides that the rate of sugar commercially recoverable for 1964-crop sugarbeets grown in the Finger Lakes area and processed at the Buckeye Sugars, Inc., factory in Ottawa, Ohio, will be the same as that used for other sugarbeets of the 1964 crop processed at that factory.

Accordingly, I hereby find and conclude that the foregoing determination will effectuate the applicable provisions of the act.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153, secs. 302, 303, 304, 61 Stat. 930, as amended, 931; 7 U.S.C. 1132, 1133, 1134)

Effective date: Date of publication.

Signed at Washington, D.C., on November 9, 1964.

CHAS. M. COX.
Acting Deputy Administrator, State and County Operations.

NOVEMBER 9, 1964.

[F.R. Doc. 64-11631; Filed, Nov. 13, 1964; 8:48 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

[Grapefruit Reg. 43]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.431 Grapefruit Regulation 43.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of grapefruit, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of all grapefruit, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10, 1964, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such grapefruit; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of grapefruit, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Grapefruit (§§ 51.750–51.783 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., November 16, 1964, and ending at 12:01 a.m., e.s.t., November 23, 1964, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any seeded grapefruit, grown in the production area, which do not grade at least U.S. No. 1;

(ii) Any seeded grapefruit, grown in the production area, which are smaller than $3^{15}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seeded grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida Grapefruit;

(iii) Any seedless grapefruit, grown in Regulation Area I, which do not grade at least U.S. No. 1;

(iv) Any seedless grapefruit, grown in Regulation Area II, which do not grade at least U.S. No. 1 Russet: *Provided,* That such grapefruit which grade U.S. No. 2 or U.S. No. 2 Bright, may be shipped if such grapefruit meet the requirements as to form (shape) and color specified in the U.S. No. 1 grade; or

(v) Any seedless grapefruit grown in the production area, which are smaller than $3^{9}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of seedless grapefruit smaller than such minimum size shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances, specified in said United States Standards for Florida grapefruit.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1964.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64-11697; Filed, Nov. 13, 1964; 8:50 a.m.]

[Orange Reg. 42]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.432 Orange Regulation 42.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of oranges, including Temple oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of oranges, including Temple

oranges, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10, 1964, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of oranges, including Temple oranges, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., November 16, 1964, and ending at 12:01 a.m., e.s.t., November 23, 1964, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any oranges, except Temple oranges, grown in the Regulation Area I, which do not grade at least U.S. No. 1;

(ii) Any oranges, except Temple oranges, grown in Regulation Area II, which do not grade at least U.S. No. 1 Russet;

(iii) Any oranges, except Temple oranges, grown in the production area, which are of a size smaller than 2$^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of oranges smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos: *Provided,* That in determining the percentage of oranges in any lot which are smaller than 2$^{8}/_{16}$ inches in diameter, such percentage shall be based only on those oranges in such lot which are of a size 2$^{1}/_{16}$ inches in diameter or smaller;

(iv) Any Temple oranges, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(v) Any Temple oranges, grown in the production area, which are of a size smaller than 2$^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of Temple oranges smaller than such minimum diameter shall be permitted which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in the aforesaid United States Standards for Florida Oranges and Tangelos.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1964.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11696; Filed, Nov. 13, 1964; 8:50 a.m.]

[Tangerine Reg. 21]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.433 Tangerine Regulation 21.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangerines, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangerines, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10, 1964, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangerines; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangerines, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, and standard pack, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Tangerines (§§ 51.1810–51.1834 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., November 16, 1964, and ending at 12:01 a.m., e.s.t., November 23, 1964, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangerines, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any tangerines, grown in the production area, which are of a size smaller than 2$^{8}/_{16}$ inches in diameter, except that a tolerance of 10 percent, by count, of tangerines smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Tangerines.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1964.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11694; Filed, Nov. 13, 1964; 8:50 a.m.]

[Tangelo Reg. 22]

PART 905—ORANGES, GRAPEFRUIT, TANGERINES, AND TANGELOS GROWN IN FLORIDA

Limitation of Shipments

§ 905.434 Tangelo Regulation 22.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 905, as amended (7 CFR Part 905), regulating the handling of oranges, grapefruit, tangerines, and tangelos grown in Florida, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations of the

committees established under the aforesaid amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments of tangelos, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient; a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of tangelos, grown in the production area, are presently subject to regulation by grades and sizes, pursuant to the amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after an open meeting of the Growers Administrative Committee on November 10, 1964, such meeting was held to consider recommendations for regulation, after giving due notice of such meeting, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including the effective time hereof, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such tangelos; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter set forth so as to provide for the continued regulation of the handling of tangelos, and compliance with this section will not require any special preparation on the part of the persons subject thereto which cannot be completed by the effective time hereof.

(b) *Order.* (1) Terms used in the amended marketing agreement and order shall, when used herein, have the same meaning as is given to the respective term in said amended marketing agreement and order; and terms relating to grade, diameter, standard pack, and standard box, as used herein, shall have the same meaning as is given to the respective term in the United States Standards for Florida Oranges and Tangelos (§§ 51.1140–51.1178 of this title).

(2) During the period beginning at 12:01 a.m., e.s.t., November 16, 1964, and ending at 12:01 a.m., e.s.t., November 23, 1964, no handler shall ship between the production area and any point outside thereof in the continental United States, Canada, or Mexico:

(i) Any tangelos, grown in the production area, which do not grade at least U.S. No. 1 Russet; or

(ii) Any tangelos, grown in the production area, which are of a size smaller than 2 5/16 inches in diameter, except that a tolerance of 10 percent, by count, of tangelos smaller than such minimum diameter shall be permitted, which tolerance shall be applied in accordance with the provisions for the application of tolerances specified in said United States Standards for Florida Oranges and Tangelos.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1964.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11695; Filed, Nov. 13, 1964; 8:50 a.m.]

[Navel Orange Reg. 59]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.359 Navel Orange Regulation 59.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 907, as amended (7 CFR Part 907), regulating the handling of Navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendations and information submitted by the Navel Orange Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such Navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the past week, after giving due notice thereof, to consider supply and market conditions for Navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such Navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 5, 1964.

(b) *Order.* (1) During the period beginning at 12:01 a.m., P.s.t., November 15, 1964, and ending at 12:01 a.m., P.s.t., October 31, 1965, no handler shall handle any Navel oranges, grown in District 1, District 3, or District 4 which are of a size smaller than 2.20 inches in diameter, which shall be the largest measurement at a right angle to a straight line running from the stem to the blossom end of the fruit: *Provided,* That not to exceed 5 percent, by count, of the oranges contained in any type of container may measure smaller than 2.20 inches in diameter.

(2) As used in this section, "handle," "handler," "District 1," "District 3," and "District 4" shall have the same meaning as when used in said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 10, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11632; Filed, Nov. 13, 1964; 8:48 a.m.]

[Lemon Reg. 138]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.438 Lemon Regulation 138.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001–1011) because the time intervening between the date when information upon

which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on November 10, 1964.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., November 15, 1964, and ending at 12:01 a.m., P.s.t., November 22, 1964, are hereby fixed as follows:

(i) District 1: 13,950 cartons;

(ii) District 2: 83,700 cartons;

(iii) District 3: 116,250 cartons.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: November 12, 1964.

F. L. SOUTHERLAND,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11698; Filed, Nov. 13, 1964; 8:50 a.m.]

PART 970—CARROTS GROWN IN SOUTH TEXAS

Expenses and Rate of Assessment

Notice of rule making regarding proposed expenses and rate of assessment for the fiscal period ending July 31, 1965, to be effective under Marketing Agreement No. 142 and Order No. 970, both as amended (7 CFR Part 970), regulating the handling of carrots grown in South Texas, was published in the FEDERAL REGISTER October 20, 1964 (29 F.R. 14408). This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.). The notice afforded interested persons an opportunity to submit data, views, or arguments pertaining thereto not later than 15 days following publication in the FEDERAL REGISTER. None was filed.

After consideration of all relevant matters, including the proposal set forth in the aforesaid notice, which was recommended by the South Texas Carrot Committee, established pursuant to the amended marketing agreement and order, it is hereby found and determined that:

§ 970.205 Expenses and rate of assessment.

(a) The reasonable expenses that are likely to be incurred by the South Texas Carrot Committee, established under Marketing Agreement No. 142, and this part (Order No. 970), both as amended, to enable the committee to perform its functions under the provisions of the marketing agreement and marketing order during the fiscal period August 1, 1964, through July 31, 1965, will amount to $37,000.00.

(b) The rate of assessment to be paid by each handler under Marketing Agreement No. 142 and this part (Order No. 970), both as amended, shall be one-half cent ($0.005) per 50 pound sack (or crate) of carrots, or the equivalent quantity thereof packed in other containers, handled by him as the first handler thereof during said fiscal period.

It is hereby found that good cause exists for not postponing the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that: (1) The relevant provisions of the amended marketing agreement and this part require that rates of assessment fixed for a particular fiscal period shall be applicable to all assessable carrots from the beginning of such period, and (2) the current fiscal period began on August 1, 1964, and the rate of assessment herein fixed will automatically apply to all assessable carrots beginning with such date.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601 et seq.)

Dated: November 10, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11633; Filed, Nov. 13, 1964; 8:48 a.m.]

Chapter XIV—Commodity Credit Corporation, Department of Agriculture

SUBCHAPTER B—LOANS, PURCHASES, AND OTHER OPERATIONS

[Amdt. 3]

PART 1421—GRAINS AND SIMILARLY HANDLED COMMODITIES

Subpart—Provisions for Participation of Commercial Banks in Pools of CCC Price Support Loans on Certain Commodities

RATE OF INTEREST AND BASIS COMPUTATION OF INTEREST EARNED

The Regulations issued by the Commodity Credit Corporation published in 29 F.R. 3614, as amended, containing the terms and conditions for participation in pools of CCC price support loans on certain commodities, are hereby further amended to change from 3.70 to 3.875 percent per annum, effective November 15, 1964, the rate of interest on certificates evidencing participation in financing price support loans.

I. Section 1421.3825(a) is amended to read as follows:

§ 1421.3825 Rate of interest and basis of computation of interest earned.

(a) *Rate of interest.* Certificates shall earn interest at the rate of 3.70 percent per annum through and including November 14, 1964, and 3.875 percent thereafter.

* * * * *

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, Stat. 1072; 15 U.S.C. 714c)

Signed at Washington, D.C., on November 9, 1964.

E. A. JAENKE,
Acting Executive Vice President, Commodity Credit Corporation.

[F.R. Doc. 64–11605; Filed, Nov. 13, 1964; 8:46 a.m.]

[Amdt. 4]

PART 1427—COTTON

Subpart—Provisions for Participation of Commercial Banks in Pools of CCC Price Support Loans on Cotton

RATE OF INTEREST AND BASIS OF COMPUTATION OF INTEREST EARNED

The regulations issued by the Commodity Credit Corporation published in 26 F.R. 6192, as amended, containing the terms and conditions under which commercial banks may participate in pools of CCC price support loans on cotton are hereby further amended to increase from 3.70 to 3.875 percent per annum, effective November 15, 1964, the rate of interest on certificates evidencing participation in financing cotton price support loans.

Section 1427.1238 is amended to read as follows:

§ 1427.1238 Rate of interest and basis of computation of interest earned.

Certificates shall earn interest at the rate of 3.7 percent per annum through and including November 14, 1964, and 3.875 percent per annum thereafter. This interest rate of 3.875 percent may be increased or decreased by CCC upon publication in the FEDERAL REGISTER of an amendment to these regulations providing for such increase or decrease: *Provided,* That with respect to any decrease in the interest rate, the effective date of such decrease shall be at least 15 days subsequent to the date of publication of such amendment in the FEDERAL REGISTER. Interest earned will be paid on a 365 day basis from and including the date shown on the certificate to, but not including, the maturity date of the certificate, the date the certificate is purchased by CCC, or the date the certificate is to be presented to CCC for purchase in accordance with notice given the holder of record pursuant to § 1427.1237, whichever date first occurs. If the

amount of accrued interest on a certificate presented for purchase is $3.00 or less, CCC shall not be obligated to pay any interest on the certificate.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 5, 62 Stat. 1072; 15 U.S.C. 714c)

Signed at Washington, D.C., on November 9, 1964.

E. A. JAENKE,
Acting Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 64-11606; Filed, Nov. 13, 1964; 8:46 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 6311; Amdt. 829]

PART 507—AIRWORTHINESS DIRECTIVES

Beech Models C18S and AT-11 Series Aircraft

Amendment 810, 29 F.R. 12913, AD 64-21-1, which became effective September 16, 1964, superseding AD 50-28-1 as revised by Amendment 762, 29 F.R. 9324, requires inspection of the front spar lower cap and the wing center section steel truss joints in the nacelle region on Beech Models C18S and AT-11 Series aircraft. However, certain of the provisions set forth in Amendment 762, were inadvertently omitted in Amendment 810. Therefore, AD 64-21-1 is revised to include the omitted provisions of Amendment 762.

As a situation exists which demands immediate adoption of this regulation it is found that notice and public procedure hereon are impracticable and good cause exists for making this amendment effective in less than 30 days.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is amended as follows:

Amendment 810, 29 F.R. 12913, AD 64-21-1, Beech Models C18S and AT-11 Series aircraft, is amended by changing the last sentence of paragraph (b) (1) to read:

If cracks are found, make repairs within the limits of Part B of Beech Service Bulletin No. 64-16 provided the oleo drag legs, Beech P/N 734-188005 or Martin P/N 90-1000001 for aircraft at 7,850 pounds gross weight, or Beech P/N 734-188005-4 for aircraft at 8,750 pounds or higher gross weight, are installed in accordance with the manufacturer's recommendations.

This amendment shall become effective November 14, 1964.

On November 20, 1964, this directive becomes an amendment to § 39.13 of Part 39 [New] of the Federal Aviation Regulations.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on November 6, 1964.

C. W. WALKER,
Acting Director,
Flight Standards Service.

[F.R. Doc. 64-11596; Filed, Nov. 13, 1964; 8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 33-4731 etc.]

PART 200—ORGANIZATION; CONDUCT AND ETHICS; AND INFORMATION AND REQUESTS

Miscellaneous Amendments

The Securities and Exchange Commission has allocated to the Division of Corporate Regulation certain functions relating to investment companies which have previously been performed by the Division of Corporation Finance (Release 33-4731, 34-7457, 39-211, and 40-4073).

In the past, the Division of Corporation Finance has been responsible for the administration of the disclosure requirements in registration statements filed by investment companies under the Securities Act of 1933 and in proxy statements filed under the Securities Exchange Act of 1934, for all matters pertaining to registered investment companies arising under the Trust Indenture Act of 1939, and, in addition, for the review of periodic reports filed with the Commission by registered investment companies and of reports transmitted to stockholders of such companies pursuant to sections 30(a) through 30(e) of the Investment Company Act of 1940. These functions have been transferred to the Division of Corporate Regulation, which continues to be responsible for the administration of the regulatory provisions of the Investment Company Act of 1940.

In connection with the transfer of functions, §§ 200.30-1 and 200.30-2 of Title 17 of the Code of Federal Regulations have been amended by the revocation of certain authority previously delegated to the Director of the Division of Corporation Finance and the delegation of that authority and certain additional authority to the Director of the Division of Corporate Regulation.

Sections 200.18 and 200.20 of Title 17 of the Code of Federal Regulations which describe the functions of the two Divisions, have been amended to reflect the transfer of functions.

Sections 200.18, 200.20, 200.30-1 and 200.30-2, as amended, are set forth below.

§ 200.18 Director of the Division of Corporation Finance.

The Director of the Division of Corporation Finance is responsible to the Commission for the administration and enforcement of all matters, except those pertaining to investment companies registered under the Investment Company Act of 1940, relating to establishing and requiring adherence to standards of economic and financial reporting and disclosure with respect to securities traded on national securities exchanges or offered for public sale pursuant to registration or exemptive regulations, establishing and requiring adherence to standards of fair disclosure in the solicitation of proxies for election of directors and other corporate actions, and for the enforcement of the standards set forth in the Trust Indenture Act of 1939 regarding indentures covering debt securities. These duties shall include the responsibility to the Commission for the administration and enforcement of disclosure and related requirements of the Securities Act of 1933, the Securities Exchange Act of 1934, the Public Utility Holding Company Act of 1935, the Trust Indenture Act of 1939, and the Investment Company Act of 1940, as listed below:

(a) All matters under the Securities Act of 1933 arising from or pertaining to material filed pursuant to the requirements of that Act, except such material filed by investment companies registered under the Investment Company Act of 1940.

(b) All matters, except those pertaining to investment companies registered under the Investment Company Act of 1940, arising under the Securities Exchange Act of 1934 in connection with:

(1) The registration of securities on national securities exchanges pursuant to section 12.

(2) The examination and processing of periodic reports filed pursuant to sections 13 and 15(d).

(3) The examination and processing of proxy soliciting material pursuant to section 14.

(4) The denial or suspension of registration of securities listed on national securities exchanges, pursuant to section 19(a)(2), arising from failure to comply with the reporting provisions of the Act.

(c) All matters relating to the examination and processing of ownership reports filed under section 16(a) of the Securities Exchange Act of 1934.

(d) The examination and processing of proxy material filed under the Public Utility Holding Company Act of 1935 and subject to Regulation 14 (17 CFR 240.14a-1 to 240.14a-11) issued under the Securities Exchange Act of 1934, and the examination of reports filed under section 17(a) of the Public Utility Holding Company Act of 1935.

(e) All matters, except those pertaining to investment companies registered under the Investment Company Act of 1940, arising under the Trust Indenture Act of 1939.

(f) All matters arising under section 30(f) of the Investment Company Act of 1940.

§ 200.20 Director of the Division of Corporate Regulation.

The Director of the Division of Corporate Regulation is responsible to the Commission for the performance of the Commission's responsibilities under Chapters X and XI of the Bankruptcy Act, for the administration and enforce-

ment of the Public Utility Holding Company Act of 1935 and the Investment Company Act of 1940, and with respect to matters pertaining to investment companies registered under the Investment Company Act of 1940 the administration and enforcement of all matters relating to establishing and requiring adherence to standards of economic and financial reporting and the administration and enforcement of fair disclosure and related matters under the Securities Act of 1933 and the Securities Exchange Act of 1934 and enforcement of the standards set forth in the Trust Indenture Act of 1939 regarding indentures covering debt securites, as listed below:

(a) All matters relating to the Commission's responsibilities under Chapters X and XI of the Bankruptcy Act, including representation of the Commission in the United States District Courts in cases involving those chapters.

(b) The administration and enforcement of all matters arising under the Public Utility Holding Company Act of 1935, except:

(1) The examination and processing of proxy solicitation material which is subject to Regulation 14 (17 CFR 240.-14a–1 to 240.14a–11) adopted under the Securities Exchange Act of 1934.

(2) The examination and processing of ownership reports filed under section 17(a).

(c) The administration and enforcement of all matters arising under the Investment Company Act of 1940, except those arising under section 30(f) of that Act.

(d) All matters under the Securities Act of 1933 arising from or pertaining to material filed pursuant to the requirements of that Act by investment companies registered under the Investment Company Act of 1940.

(e) All matters arising under the Securities Exchange Act of 1934, except the examination and processing of ownership reports filed under section 16(a) of the Act, pertaining to investment companies registered under the Investment Company Act of 1940, in connection with:

(1) The registration of securities on national securities exchanges pursuant to section 12.

(2) The examination and processing of periodic reports filed pursuant to sections 13 and 15(d).

(3) The examination and processing of proxy soliciting material pursuant to section 14.

(4) The denial or suspension of registration of securities listed on national securities exchanges, pursuant to section 19(a)(2), arising from failure to comply with the reporting provisions of the Act.

(f) All matters pertaining to investment companies registered under the Investment Company Act of 1940 arising under the Trust Indenture Act of 1939.

§ 200.30–1 Delegation of authority to Director of Division of Corporation Finance.

Pursuant to the provisions of Public Law No. 87–592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Corporation Finance, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to registration of securities pursuant to the Securities Act of 1933, 15 U.S.C. 77a et seq., and Regulation C thereunder, § 230.400 et seq. of this chapter:

(1) To determine the effective dates of amendments to registration statements filed pursuant to section 8(c) of the Act, 15 U.S.C. 77b(c);

(2) To consent to the withdrawal of registration statements or amendments or exhibits thereto, pursuant to Rule 477, § 230.477 of this chapter;

(3) To authorize the issuance of orders granting confidential treatment to material submitted in accordance with Rule 485, § 230.485 of this chapter, but only when the Commission has previously by order granted confidential treatment to the same information;

(4) To accelerate the use or publication of any summary prospectus filed with the Commission pursuant to section 10(b) of the Act, 15 U.S.C. 77j(b), and Rule 434A(g) thereunder, § 230.434A(g) of this chapter:

(5) Pursuant to section 8(a) of the Act, 15 U.S.C. 77h(a), regarding the following types of registration statements:

(i) Statements filed on Form S–8, § 239.16b of this chapter;

(ii) Statements filed on Form S–9, § 239.22 of this chapter;

(iii) Statements filed on Form S–12, § 239.19 of this chapter;

(iv) Statements filed on Form S–14, § 239.23 of this chapter;

(v) Statements filed on Form F–1, § 239.9 of this chapter;

(vi) Statements filed in situations involving competitive bidding subject to Rule 415, § 230.415 of this chapter; and

(vii) Statements filed on any form subsequent to the effectiveness of another registration statement covering the securities of the same issuer where the issuer is subject to and is filing reports in compliance with the reporting requirements of section 13 or section 15(d) of the Securities Exchange Act of 1934, 15 U.S.C. 78m and 78o(d).

(*a*) To determine such registration statements to be effective within shorter periods of time than twenty days after filing thereof;

(*b*) To consent to the filing of amendments prior to the effective dates of such registration statements as parts thereof, or to determine that amendments filed prior to the effective dates of such registration statements have been filed pursuant to orders of the Commission, so as to be treated as parts of the registration statements for the purpose of section 8(a) of the Act;

(*c*) To determine to be effective applications for qualification of trust indentures filed therewith.

(6) Pursuant to instructions as to financial statements contained in forms adopted under the Act:

(i) To permit the omission of one or more financial statements therein required or the filing in substitution therefor of appropriate statements of comparable character, or

(ii) To require the filing of other financial statements in addition to, or in substitution for, the statements therein required.

(b)(1) To designate officers empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, or other documents in the course of any examination or investigation instituted by the Commission pursuant to section 19(b) of the Securities Act of 1933, 15 U.S.C. 77s(b), and section 21(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(b), and section 8(e) of the Securities Act of 1933, 15 U.S.C. 77h(e);

(2) In nonpublic investigatory proceedings within the responsibility of the director, to grant requests of persons submitting data or evidence to retain or procure copies of their data or transcripts of their testimony pursuant to Rule 3(b) of the Commission's rules of practice, § 201.3(b) of this chapter.

(c) With respect to the Securities Act of 1933, 15 U.S.C. 77a et seq. and Regulation B thereunder, 230.300 et seq. of this chapter:

(1) To authorize the issuance of orders temporarily suspending the effectiveness of offering sheets in the manner prescribed in Rule 340(a) thereunder, § 230.340(a) of this chapter;

(2) To issue notices of suspension of offering sheets and of opportunity for hearing thereon, in the manner prescribed in Rule 340(a), § 230.340(a) of this chapter;

(3) To terminate temporary suspension orders issued by the Commission under Rule 340(a), § 230.340(a) of this chapter, and proceedings under Rule 340(b), § 230.340(b) of this chapter, prior to taking any evidence at any such hearing thereon when, as set forth in Rule 340(c), § 230.340(c) of this chapter, it appears that the offering sheet has been amended to cure the objections specified in the temporary suspension order or the notice instituting the proceeding;

(4) To authorize the issuance of orders granting requests for withdrawal of offering sheets, pursuant to Rule 350, § 230.350 of this chapter, when it appears that no sales of the securities described in said offering sheets have, in fact, been made;

(5) To authorize the issuance of orders declaring effective amendments to offering sheets filed in accordance with the provisions in Rule 352, § 230.352 of this chapter, and Rule 354, § 230.354 of this chapter;

(6) To authorize the issuance of orders terminating the effectiveness of offering sheets upon applications of persons filing them in compliance with the provisions of Rule 356, § 230.356 of this chapter.

(d) With respect to the Trust Indenture Act of 1939, 15 U.S.C. 77aaa et seq.:

(1) To determine to be effective prior to the twentieth day after filing thereof applications for qualification of indentures filed on Form T–3 pursuant to section 307 of the Act, 15 U.S.C. 77ggg,

and Rule 7a–1 thereunder, § 260.7a–1 of this chapter;

(2) To authorize the issuance of orders exempting certain securities from the provisions of the Act pursuant to sections 304 (c) and (d) thereof, 15 U.S.C. 77ddd (c) and (d) and Rule 4(c)–1 thereunder, § 260.4(c)–1 of this chapter;

(3) In cases in which opportunity for hearing is waived, to authorize the issuance of orders determining that a trusteeship under an indenture to be qualified and another indenture is not so likely to involve a material conflict of interest as to make it necessary to disqualify the trustee pursuant to section 310(b)(1)(ii) of the Act, 15 U.S.C. 77jjj(b)(1)(ii) and Rule 10b–2 thereunder, § 260.10b–2 of this chapter.

(e) With respect to the Securities Exchange Act of 1934, 15 U.S.C. 78a et seq.:

(1) To determine to be effective applications for registration of securities on a national securities exchange prior to thirty days after receipt of a certification pursuant to section 12(d) of the Act, 15 U.S.C. 78*l*(d);

(2) Pursuant to instructions as to financial statements contained in forms adopted under the Act:

(i) To permit the omission of one or more financial statements therein required or the filing in substitution therefor of appropriate statements of comparable character;

(ii) To require the filing of other financial statements in addition to, or in substitution for, the statements therein required.

(3) To accord confidential treatment to material filed pursuant to section 24 (b) of the Act, 15 U.S.C. 78x(b), and Rule 24b–2 thereunder, § 240.24b–2 of this chapter, but only when the Commission has previously by order granted confidential treatment to the same information;

(4) To authorize the use of forms of proxies, proxy statements or other soliciting material within periods of time less than that prescribed in Rule 14a–6, § 240.14a–6 of this chapter, Rule 14a–8 (d), § 240.14a–8(d) of this chapter and Rule 14a–11, § 240.14a–11 of this chapter;

(5) To grant applications for exemptions from the operation of section 15(d) of the Act, 15 U.S.C. 78o(d), pursuant to Rule 15d–20, § 240.15d–20 of this chapter, except when a hearing is requested.

(f) Notwithstanding anything in the foregoing:

(1) Matters arising under the Investment Company Act of 1940, the Securities Act of 1933, the Securities Exchange Act of 1934 and the Trust Indenture Act of 1939 pertaining to investment companies registered under the Investment Company Act of 1940 are not within the scope of the functions delegated to the Director of the Division of Corporation Finance;

(2) In any case in which the Director of the Division of Corporation Finance believes it appropriate, he may submit the matter to the Commission.

§ 200.30–2 Delegation of authority to Director of Division of Corporate Regulation.

Pursuant to the provisions of Public Law No. 87–592, 76 Stat. 394, the Securities and Exchange Commission hereby delegates, until the Commission orders otherwise, the following functions to the Director of the Division of Corporate Regulation, to be performed by him or under his direction by such person or persons as may be designated from time to time by the Chairman of the Commission:

(a) With respect to the Public Utility Holding Company Act of 1935, 15 U.S.C. 79a, et seq.:

(1) To issue notices with respect to applications or declarations under the following sections of the Act and the rules and regulations promulgated thereunder where, upon examination, the application or declaration does not appear to him to present issues not previously settled by the Commission or to raise questions of fact or policy indicating that the public interest or the interest of investors or consumers requires that a hearing be held:

(i) Section 2(a)(3), 15 U.S.C. 79b(a)(3);

(ii) Section 2(a)(4), 15 U.S.C. 79b(a)(4);

(iii) Section 2(a)(7), 15 U.S.C. 79b(a)(7);

(iv) Section 2(a)(8), 15 U.S.C. 79b(a)(8);

(v) Section 3(a), 15 U.S.C. 79c(a);

(vi) Section 3(b), 15 U.S.C. 79c(b);

(vii) Section 5(d), 15 U.S.C. 79e(d);

(viii) Section 6(b), 15 U.S.C. 79f(b);

(ix) Section 7, 15 U.S.C. 79g;

(x) Section 9(c)(3), 15 U.S.C. 79i(c)(3);

(xi) Section 10, 15 U.S.C. 79j;

(xii) Section 12(b), 15 U.S.C. 79*l*(b);

(xiii) Section 12(c), 15 U.S.C. 79*l*(c);

(xiv) Section 12(d), 15 U.S.C. 79*l*(d);

(xv) Section 12(e), 15 U.S.C. 79*l*(e);

(xvi) Section 12(f), 15 U.S.C. 79*l*(f);

(xvii) Section 12(g), 15 U.S.C. 79*l*(g);

(xviii) Section 13(b), 15 U.S.C. 79m(b);

(xix) Section 13(c), 15 U.S.C. 79m(c);

(xx) Section 13(d), 15 U.S.C. 79m(d);

(xxi) Section 13(e), 15 U.S.C. 79m(e);

(xxii) Section 13(f), 15 U.S.C. 79m(f).

(2) To authorize the issuance of orders where a notice has been issued and no request for a hearing has been received from any interested person within the period specified in the notice and the matter involved presents no issue that he believes has not previously been settled by the Commission and it does not appear to him to be necessary in the public interest or the interest of investors or consumers that a hearing be held; section 20(c), 15 U.S.C. 79t(c);

(3) To permit the withdrawal of applications or declarations filed pursuant to the Act, 15 U.S.C. 79a, et seq.;

(4) Upon a showing of good cause and that it would not be contrary to the public interest or inconsistent with the protection of investors or consumers, to grant, reasonable extensions of time with respect to the time for the filing with the Commission of registration statements and of reports pursuant to section 20(a), 15 U.S.C. 79t(a), and Rules 1(b), 1(c), 2, 24 and 29; §§ 250.1(b), 250.1(c), 250.2, 250.24 and 250.29 of this chapter;

(b) With respect to the Investment Company Act of 1940, 15 U.S.C. 80a–1, et seq.:

(1) To issue notices, pursuant to Rule 0–5(a), § 270.05(a) of this chapter, with respect to applications for orders under the following sections of the Act and the rules and regulations promulgated thereunder where, upon examination, the application does not appear to him to present issues not previously settled by the Commission or to raise questions of fact or policy indicating that the public interest or the interest of investors requires that a hearing be held:

(i) Section 6(b), 15 U.S.C. 80a–6(b);

(ii) Section 6(c), 15 U.S.C. 80a–6(c);

(iii) Section 6(d), 15 U.S.C. 80a–6(d);

(iv) Section 6(e), 15 U.S.C. 80a–6(e);

(v) Section 7(d), 15 U.S.C. 80a–7(d);

(vi) Section 8(f), 15 U.S.C. 80a–8(f);

(vii) Section 10(e), 15 U.S.C. 80a–10(e);

(viii) Section 10(f), 15 U.S.C. 80a–10(f);

(ix) Section 11(a), 15 U.S.C. 80a–11(a);

(x) Section 12(g), 15 U.S.C. 80a–12(g);

(xi) Section 16(a), 15 U.S.C. 80a–16(a);

(xii) Section 17(b), 15 U.S.C. 80a–17(b);

(xiii) Section 17(d), 15 U.S.C. 80a–17(d);

(xiv) Section 17(e), 15 U.S.C. 80a–17(e);

(xv) Section 17(f), 15 U.S.C. 80a–17(f);

(xvi) Section 17(g), 15 U.S.C. 80a–17(g);

(xvii) Section 18(j), 15 U.S.C. 80a–18(j);

(xviii) Section 23(b), 15 U.S.C. 80a–23(b);

(xix) Section 23(c), 15 U.S.C. 80a–23(c);

(xx) Section 28(c), 15 U.S.C. 80a–28(c);

(xxi) Section 31(d), 15 U.S.C. 80a–30(d);

(xxii) Section 32(c), 15 U.S.C. 80a–31(c);

(xxiii) Section 45(a), 15 U.S.C. 80a–44(a).

(2) To authorize the issuance of orders where a notice, pursuant to Rule 0–5(a), § 270.05(a) of this chapter, has been issued and no request for a hearing has been received from any interested person within the period specified in the notice and the matter involved presents no issue that he believes has not previously been settled by the Commission and it does not appear to him to be necessary in the public interest or the interest of investors that a hearing be held; section 40(a), 15 U.S.C. 30a–39(a);

(3) To permit the withdrawal of applications pursuant to the Act, 15 U.S.C. 80a–1, et seq.;

(4) Upon a showing of good cause and that it would not be contrary to the public interest or inconsistent with the protection of investors, to grant reasonable extensions of time with respect to the time for (i) the mailing of reports to stockholders and (ii) the filing with the Commission of registration statements and of reports; section 38(a), 15 U.S.C. 80a–37(a);

(5) To permit, pursuant to Rule 20a–2(a)(9), § 270.20a–2(a)(9) of this chapter, the omission from a proxy statement of a registered investment company of the certification of the balance sheet of the investment adviser of such investment company and, if the investment adviser is primarily engaged in a business other than the underwriting or distribution of investment company securities or the performance of advisory services for registered investment companies, to permit the summarization or omission of such balance sheet.

(6) To authorize the issuance of orders granting confidential treatment pursuant to section 45(a) of the Act, 15 U.S.C. 80a–44(a), where applications for confidential treatment are made regarding matters of disclosure in registration statements filed pursuant to section 8 of the Act, 15 U.S.C. 80a–8, or in reports filed pursuant to section 30 of the Act, 15 U.S.C. 80a–29, but only when the Commission has previously by order granted confidential treatment to the same information.

(c) With respect to matters pertaining to investment companies registered under the Investment Company Act of 1940 arising under the Securities Act of 1933, the Securities Exchange Act of 1934 and the Trust Indenture Act of 1939, the same functions as are delegated to the Director of the Division of Corporation Finance in regard to companies other than such registered investment companies in sections (a)(1), (a)(2), (a)(3), (a)(6), (d) and (e) of Rule 30–1 of these rules.

(d) With respect to registration of securities pursuant to the Securities Act of 1933, 15 U.S.C. 77a et seq., and Regulation C thereunder, § 230.400 et seq. of this chapter, pursuant to section 8(a) of the Securities Act of 1933, 15 U.S.C. 77h(a), and Regulation C thereunder, § 230.400 et seq. of this chapter, regarding registration statements filed by investment companies registered under the Investment Company Act of 1940 on any form subsequent to the effectiveness of another registration statement covering the securities of the same issuer where the issuer is subject to and is filing reports in compliance with the reporting requirements of section 13 or section 15(d) of the Securities Exchange Act of 1934, 15 U.S.C. 78m and 78o(d), or section 30 of the Investment Company Act of 1940, 15 U.S.C. 80a–29;

(1) To determine such registration statements to be effective within shorter periods of time than twenty days after filing thereof;

(2) To consent to the filing of amendments prior to the effective dates of such registration statements as parts thereof, or to determine that amendments filed prior to the effective dates of such registration statements have been filed pursuant to orders of the Commission, so as to be treated as parts of the registration statements for the purpose of section 8(a) of the Act;

(3) To determine to be effective applications for qualification of trust indentures filed therewith.

(e) With respect to the Securities Act of 1933, 15 U.S.C. 77a et seq. and Regulation E thereunder, § 230.601 et seq. of this chapter:

(1) To authorize the offering of securities:

(i) Less than ten days subsequent to the filing with the Commission of a notification on Form 1–E, pursuant to Rule 604(a), § 230.604(a) of this chapter;

(ii) Less than ten days subsequent to the filing of an amendment to a notification on Form 1–E, pursuant to Rule 604(c), § 230.604(c) of this chapter;

(2) To authorize the use of a revised or amended offering circular less than ten days subsequent to the filing thereof pursuant to Rule 605(e), § 230.605(e) of this chapter;

(3) To authorize the use of communications specified in subsections (a), (b), and (c) of Rule 607, § 230.607 of this chapter, less than five days subsequent to the filing thereof;

(4) To permit the withdrawal of any notification, or any exhibit or other documents filed as a part thereof, pursuant to Rule 604(d), § 230.604(d) of this chapter.

(f)(1) To designate officers empowered to administer oaths and affirmations, subpoena witnesses, compel their attendance, take evidence, and require the production of any books, papers, correspondence, memoranda, contracts, agreements, or other records in the course of investigations instituted by the Commission pursuant to section 18(c) of the Public Utility Holding Company Act of 1935, 15 U.S.C. 79r(c), or pursuant to section 42(b) of the Investment Company Act of 1940, 15 U.S.C. 80a–41(b), or pursuant to section 19(b) of the Securities Act of 1933, 15 U.S.C. 77s(b), or pursuant to section 21(b) of the Securities Exchange Act of 1934, 15 U.S.C. 78u(b), or pursuant to section 8(e) of the Securities Act of 1933, 15 U.S.C. 77h(e);

(2) In nonpublic investigatory proceedings within the responsibility of the director, to grant requests of persons submitting data or evidence to retain or procure copies of their data or transcripts of their testimony pursuant to Rule 3(b) of the Commission's rules of practice, § 201.3(b) of this chapter.

(g) Notwithstanding anything in the foregoing, in any case in which the Director of the Division of Corporate Regulation believes it appropriate he may submit the matter to the Commission.

(§§200.18 and 200.20 amended under secs. 19, 23, 48 Stat. 85, 901, as amended, sec. 20, 49 Stat. 833, sec. 319, 53 Stat. 1173, secs. 38, 211, 54 Stat. 841, 855; 15 U.S.C. 77s, 78w, 77sss, 79t, 80a–37, 80b–11; §§ 200.30–1 and 200.30–2 amended under sec. 1, 76 Stat. 394; 15 U.S.C. 78d–1)

The Commission finds that the foregoing actions relate to agency organization, procedure or practice and that compliance with sections 4 (a), (b), and (c) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1003) is unnecessary. Accordingly, the foregoing action, which was taken pursuant to Public Law No. 87–592, 76 Stat. 394, becomes effective November 10, 1964.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

NOVEMBER 10, 1964.

[F.R. Doc. 64–11597; Filed, Nov. 13, 1964; 8:45 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER A—GENERAL

PART 1—REGULATIONS FOR THE ENFORCEMENT OF THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

PART 5—FOOD; EXEMPTIONS FROM LABELING REQUIREMENTS

In the FEDERAL REGISTER of July 21, 1964 (29 F.R. 9803), the Commissioner of Food and Drugs proposed a special exempting regulation with respect to net-weight declarations on wrapped banana clusters at the request of the banana industry. Thirty days were announced for submitting views and comments on this proposal, and two comments were received. One recommended that the proposed requirement for a correct statement on the wrapper of its weight either be eliminated or be applicable only when the wrapper's weight exceeded some maximum amount to be set by the regulation. This proposal is inconsistent with the principle and meaning of "net weight," and a requirement to set forth the weight of the wrapper imposes no unreasonable burden on the affected industry. The other comment took general exception to the proposal on the ground that it would lead to consumer deception. The reasons given were not persuasive.

Upon consideration of all the views and comments and other relevant information, the Commissioner concludes that the proposed regulation should issue, without change. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 403(e)(2), 405, 701(a), 52 Stat. 1046, as amended 1049, 1055; 21 U.S.C. 343(e)(2), 345, 371(a)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471): *It is ordered,* That §§ 1.13 and 1.14 be transferred to a new Part 5, reading as indicated below, and that § 5.8 be inserted in that part. No changes are intended or effected in the original text of §§ 1.13 and 1.14 except those editorial changes affecting recodification.

PART 5—FOOD; EXEMPTIONS FROM LABELING REQUIREMENTS

Sec.

5.1 Open containers.
5.2 Repacked, reprocessed, and relabeled foods.
5.3 Conditions affecting expiration of exemptions.
5.4 Labeling of cheeses during curing and processing.
5.5 [Reserved]
5.6 Markers.
5.7 Wrapped fish fillets.
5.8 Bananas, wrapped clusters (consumer units).

AUTHORITY: The provisions of this Part 5 issued under sec. 403, 701(a), 52 Stat. 1047, 1055 as amended, 21 U.S.C. 343, 371(a).

§ 5.1 Open containers.

(a) An open container is a container of rigid or semirigid construction, which

is not closed by lid, wrapper, or otherwise.

(b) An open container of a fresh fruit or fresh vegetable, the quantity of contents of which is not more than one dry quart, shall be exempt from the labeling requirements of subsections (e), (g)(2) (with respect to the name of the food specified in the definition and standard), and (i)(1) of section 403 of the act; but such exemption shall be on the condition that if two or more such containers are enclosed in a crate or other shipping package, such crate or package shall bear labeling showing the number of such containers enclosed therein and the quantity of the contents of each.

§ 5.2 Repacked, reprocessed, and relabeled foods.

Except as provided by §§ 5.3 and 5.4, a shipment or other delivery of a food which is, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantity at an establishment other than that where originally processed or packed, shall be exempt, during the time of introduction into and movement in interstate commerce and the time of holding in such establishment, from compliance with the labeling requirements of section 403 (c), (e), (g), (h), (i), (j) and (k) of the act if:

(a) The person who introduced such shipment or delivery into interstate commerce is the operator of the establishment where such food is to be processed, labeled, or repacked; or

(b) In case such person is not such operator, such shipment or delivery is made to such establishment under a written agreement, signed by and containing the post-office addresses of such person and such operator, and containing such specifications for the processing, labeling, or repacking, as the case may be, of such food in such establishment as will insure, if such specifications are followed, that such food will not be adulterated or misbranded within the meaning of the act upon completion of such processing, labeling, or repacking. Such person and such operator shall each keep a copy of such agreement until 2 years after the final shipment or delivery of such food from such establishment, and shall make such copies available for inspection at any reasonable hour to any officer or employee of the Department who requests them.

§ 5.3 Conditions affecting expiration of exemptions.

(a) An exemption of a shipment or other delivery of a food under § 5.2(a) shall, at the beginning of the act of removing such shipment or delivery, or any part thereof, from such establishment become void ab initio if the food comprising such shipment, delivery, or part is adulterated or misbranded within the meaning of the act when so removed.

(b) An exemption of a shipment or other delivery of a food under § 5.2(b) shall become void ab initio with respect to the person who introduced such shipment or delivery into interstate commerce upon refusal by such person to make available for inspection a copy of the agreement, as required by § 5.2(b).

(c) An exemption of a shipment or other delivery of a food under § 5.2(b) shall expire:

(1) At the beginning of the act of removing such shipment or delivery, or any part thereof, from such establishment if the food comprising such shipment, delivery, or part is adulterated or misbranded within the meaning of the act when so removed; or

(2) Upon refusal by the operator of the establishment where such food is to be processed, labeled, or repacked, to make available for inspection a copy of the agreement, as required by such paragraph.

§ 5.4 Labeling of cheeses during curing and processing.

The word "processed" as used in this section shall include the holding of cheese in a suitable warehouse at a temperature of not less than 35° F. for the purpose of aging or curing to bring the cheese into compliance with requirements of an applicable definition and standard of identity. The exemptions provided for in § 5.2 shall apply to cheese which is, in accordance with the practice of the trade, shipped to a warehouse for aging or curing, on condition that the cheese is identified in the manner set forth in one of the applicable following paragraphs, and in such case the provisions of § 5.3 shall also apply:

(a) In the case of vaieties of cheese for which definitions and standards of identity require a period of aging whether or not they are made from pasteurized milk, each such cheese shall bear on the cheese a legible mark showing the date at which the preliminary manufacturing process has been completed and at which date curing commences, and to each cheese, on its wrapper or immediate container, shall be affixed a removable tag bearing the statement "Uncured _____ cheese for completion of curing and proper labeling," the blank being filled in with the applicable name of the variety of cheese. In the case of swiss cheese, the date at which the preliminary manufacturing process had been completed and at which date curing commences is the date on which the shaped curd is removed from immersion in saturated salt solution as provided in the definition and standard of identity for swiss cheese, and such cheese shall bear a removable tag reading, "To be cured and labeled as 'swiss cheese', but if eyes do not form to be labeled as 'swiss cheese for manufacturing.'"

(b) In the case of varieties of cheeses which when made from unpasteurized milk are required to be aged for not less than 60 days, each such cheese shall bear a legible mark on the cheese showing the date at which the preliminary manufacturing process has been completed and at which date curing commences, and to each such cheese or its wrapper or immediate container shall be affixed a removable tag reading, "_____ cheese made from unpasteurized milk. For completion of curing and proper labeling," the blank being filled in with the applicable name of the variety of cheese.

(c) In the case of cheddar cheese, washed curd cheese, colby cheese, granular cheese, and brick cheese made from unpasteurized milk, each such cheese shall bear a legible mark on the cheese showing the date at which the preliminary manufacturing process has been completed and at which date curing commences, and to each such cheese or its wrapper or immediate container shall be affixed a removable tag reading "_____ cheese made from unpasteurized milk. For completion of curing and proper labeling, or for labeling as _____ cheese for manufacturing," the blank being filled in with the applicable name of the variety of cheese.

§ 5.5 [Reserved]

§ 5.6 Markers.

The label declaration of a harmless marker used to identify a particular manufacturer's product may result in unfair competition through revealing a trade secret. Exemption from the label declaration of such a marker is granted, therefore, provided that the following conditions are met:

(a) The person desiring to use the marker without label declaration of its presence has submitted to the Commissioner of Food and Drugs full information concerning the proposed usage and the reasons why he believes label declaration of the marker should be subject to this exemption; and

(b) The person requesting the exemption has received from the Commissioner of Food and Drugs a finding that the marker is harmless and that the exemption has been granted.

§ 5.7 Wrapped fish fillets.

(a) Wrapped fish fillets of nonuniform weight intended to be unpacked and marked with the correct weight at the point of retail sale in an establishment other than that where originally packed shall be exempt from the requirement of section 403(e)(2) of the act during introduction and movement in interstate commerce and while held for sale prior to weighing and marking: *Provided*, That:

(1) The outside container bears a label declaration of the total net weight; and

(2) The individual packages bear a conspicuous statement "To be weighed at time of sale" and a correct statement setting forth the weight of the wrapper; and

Provided further, That it is the practice of the retail establishment to weigh and mark the individual packages with a correct net-weight statement prior to or at the point of retail sale. A statement of the weight of the wrapper shall be set forth so as to be readily read and understood, using such term as "wrapper tare _____ ounce," the blank being filled in with the correct average weight of the wrapper used.

(b) The act of delivering the wrapped fish fillets during the retail sale without the correct net-weight statement shall be deemed an act which results in the product's being misbranded while held for sale. Nothing in this section shall be construed as requiring net-weight statements for wrapped fish fillets de-

livered into institutional trade provided the outside container bears the required information.

§ 5.8 Bananas, wrapped clusters (consumer units).

(a) Wrapped clusters (consumer units) of bananas of nonuniform weight intended to be unpacked from a master carton or container and weighed at the point of retail sale in an establishment other than that where originally packed shall be exempt from the requirements of section 403(e)(2) of the act during introduction and movement in interstate commerce and while held for sale prior to weighing: *Provided*, That:

(1) The master carton or container bears a label declaration of the total net weight; and

(2) The individual packages bear a conspicuous statement "To be weighed at the time of sale" and a correct statement setting forth the weight of the wrapper; and

Provided, further, That it is the practice of the retail establishment to weigh the individual packages either prior to or at the time of retail sale.

(b) The act of delivering the wrapped clusters (consumer units) during the retail sale without an accurate net weight statement or alternatively without weighing at the time of sale shall be deemed an act which results in the product's being misbranded while held for sale. Nothing in this paragraph shall be construed as requiring net-weight statements for clusters (consumer units) delivered into institutional trade, provided that the master container or carton bears the required information.

Effective date: This order shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 403(e)(2), 405, 701(a), 52 Stat. 1046, as amended 1049, 1055; 21 U.S.C. 343(e)(2), 345, 371(a))

Dated: November 6, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-11639; Filed, Nov. 13, 1964; 8:48 a.m.]

PART 3—STATEMENTS OF GENERAL POLICY OR INTERPRETATION

PART 8—COLOR ADDITIVES

Miscellaneous Amendments

Effective on the date of publication of this order in the FEDERAL REGISTER, the following amendments are ordered to Parts 3 and 8 for the purpose of making minor editorial changes prior to republication of Title 21.

§ 3.204 [Revoked]

1. Section 3.204 is revoked because the material contained therein is now obsolete.

§§ 8.300, 8.6000 [Redesignated]

2. Sections 8.390 and 8.6200 are renumbered as §§ 8.300 and 8.6000, respectively.

No substantive amendments are included in this order, and therefore the requirements for notice and public procedure and delayed effective date contemplated by the Administrative Procedure Act are not necessary in this instance.

(Sec. 701(a), 52 Stat. 1055, as amended; 21 U.S.C. 371(a))

Dated: November 6, 1964.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 64-11640; Filed, Nov. 13, 1964; 8:49 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter I—Monetary Offices, Department of the Treasury

PART 92—BUREAU OF THE MINT PROCEDURES AND DESCRIPTIONS OF FORMS

Purchase of "Mint Sets"

Section 92.20a of Part 92 (Revised), Chapter I, Subtitle B of Title 31 of the Code of Federal Regulations is hereby amended by adding immediately after the final sentence thereof the following language: "The Bureau of the Mint specifically reserves the right to reduce or cancel orders for U.S. Mint sets, whether or not acknowledgement of receipt thereof has been made, and to make appropriate refund. The right is further reserved to discontinue all sale of such sets, beyond which orders will be returned."

Dated: November 9, 1964.

[SEAL] ROBERT A. WALLACE,
Assistant Secretary.

[F.R. Doc. 64-11623; Filed, Nov. 13, 1964; 8:47 a.m.]

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS

[Dept. Circular 655 (Revised)]

PART 211—DELIVERY OF CHECKS AND WARRANTS TO ADDRESSES OUTSIDE THE UNITED STATES, ITS TERRITORIES AND POSSESSIONS

In order to consolidate into one document the existing fourteen Supplements to Department Circular No. 655 and to eliminate obsolete material therefrom, Department Circular No. 655, dated March 19, 1941 (31 CFR Part 211), as amended, is hereby revised to read as follows:

Sec.
211.1 Authority for regulations.
211.2 Withholding of delivery of checks.
211.3 Reports and deposits of checks withheld.
211.4 Claims for the release of withheld checks or for the proceeds thereof.
211.5 Alternate procedure.
211.6 Exceptions.

AUTHORITY: The provisions of this Part 211 issued under sec. 5, 54 Stat. 1087 (31 U.S.C. 127); R.S. 161 (5 U.S.C. 22); R.S. 248 (5 U.S.C. 242); and Treasury Department Order No. 190 (Revision 2) (28 F.R. 11570).

SOURCE: §§ 211.1 to 211.6 contained in Treasury Department Circular No. 655 (Revised), effective Nov. 14, 1964.

§ 211.1 Authority for regulations.

The regulations in this part are prescribed and issued under authority of section 5 of the Act of October 9, 1940, 54 Stat. 1087 (31 U.S.C. 127), "To restrict or regulate the delivery of checks drawn against funds of the United States, or any agency or instrumentality thereof, to addresses outside the United States, its territories, and possessions, and for other purposes."; of sections 161 and 248 of the Revised Statutes (5 U.S.C. 22 and 242); and of Treasury Department Order No. 190 (Revision 2) (28 F.R. 11570).

§ 211.2 Withholding of delivery of checks.

(a) It is hereby determined that postal, transportation, or banking facilities in general or local conditions in Albania, Communist-controlled China, Cuba, Czechoslovakia, Estonia, Hungary, Latvia, Lithuania, North Korea, North Viet-Nam, the Union of Soviet Socialist Republics, the Russian Zone of Occupation of Germany, and the Russian Sector of Occupation of Berlin, Germany, are such that there is not a reasonable assurance that a payee in those areas will actually receive checks or warrants drawn against funds of the United States, or agencies or instrumentalities thereof, and be able to negotiate the same for full value.

(b) A check or warrant intended for delivery in any of the countries named in paragraph (a) of this section shall be withheld unless the check or warrant is specifically released. Before a check or warrant drawn against funds blocked pursuant to the provisions of Executive Order No. 8389 (3 CFR, 1943 Cum. Supp.), as amended, and which remain blocked under the proviso clause of General License No. 101 (8 CFR 511.101) may be released, it will be necessary for a license authorizing the release to be issued by the Department of Justice, Civil Division, Office of Alien Property, pursuant to that Executive Order, as amended. Attention is also directed to the following regulations issued by the Secretary of the Treasury: (1) The Foreign Assets Control Regulations issued on December 17, 1950 (31 CFR Part 500), pursuant to Executive Order No. 9193 (3 CFR, 1943 Cum. Supp.), which prohibit transactions involving payments to nationals of Communist-controlled China, North Korea and North Viet-Nam except to the extent that they have been authorized by appropriate license and (2) the Cuban Assets Control Regulations issued on July 8, 1963 (31 CFR Part 515), pursuant to the same authority, which prohibit similar transactions with nationals of Cuba unless licensed.

(c) Powers of Attorney for the receipt or collection of checks or warrants or of the proceeds of checks or warrants included within the determination of the Secretary of the Treasury set forth in paragraph (a) of this section will not be recognized.

§ 211.3 Reports and deposits of checks withheld.

(a) At the close of each quarter, a report, in duplicate, containing the information required in section 2 of the Act of October 9, 1940, 54 Stat. 1086 (31 U.S.C. 124), shall be made to the Bureau of Accounts, Investments Branch, Treasury Department, Washington, D.C., 20226, for checks or warrants withheld (1) pursuant to both Executive Order No. 8389, as amended, or Executive Order No. 9193, and the determination of the Secretary of the Treasury under § 211.2, or (2) solely pursuant to any such authority. Such reports shall contain the following: The name and address of the payee; the date, number, and amount of the check or warrant; and the account against which it was drawn. A separate tabulation shall be prepared for checks or warrants withheld under each disbursing officer's symbol applying to each administrative agency, in which report checks or warrants shall be segregated by countries.

(b) Checks withheld from delivery pursuant to the provisions of this part are to be deposited in the general account of the Treasurer of the United States for credit to the deposit fund account of the Secretary of the Treasury, 20X6048, Proceeds of Withheld Foreign Checks, at the close of the calendar quarter in which the check was drawn. The deposit will be made on Standard Form 219 prepared in accordance with the provisions of applicable Treasury regulations. The office deposit symbol, block 1, should be shown as 20–18–0006; Washington, D.C., 20226, should be shown in block 2 of the Certificate of Deposit.

§ 211.4 Claims for the release of withheld checks or for the proceeds thereof.

Claims for the release of checks or warrants withheld from delivery and claims for the proceeds of checks or warrants which have been deposited in the account "Secretary of the Treasury, Proceeds of Withheld Foreign Checks," shall be filed with the Bureau of Accounts, Investments Branch, Treasury Department, Washington, D.C., 20226, except that claims arising out of checks or warrants representing payments under laws administered by the Veterans Administration shall be filed with the Administrator of Veterans Affairs, Veterans Administration, Washington, D.C., 20420. The Bureau of Accounts will obtain from the administrative agency concerned its report and recommendation upon each claim submitted, prior to payment.

§ 211.5 Alternate procedure.

In lieu of drawing a check or warrant which would be withheld pursuant to § 211.2(b), a drawer agency may withhold payment on its books. Such an agency may be requested from time to time to submit reports similar to those required by § 211.3(a).

§ 211.6 Exceptions.

The regulations of this part do not apply to payments to foreign governments, nor to checks or warrants issued in payment of salaries or wages, or for goods or services purchased by the Government of the United States in foreign countries, unless such payments are subject to the Foreign Assets Control Regulations (31 CFR Part 500) or the Cuban Assets Control Regulations (31 CFR Part 515).

Dated: November 9, 1964.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 64–11619; Filed, Nov. 13, 1964; 8:47 a.m.]

SUBCHAPTER C—OFFICE OF THE TREASURER OF THE UNITED STATES

PART 361—DISTRIBUTION OF UNCIRCULATED COINS FOR COLLECTION PURPOSES

Revocation

By virtue of Treasury Department Order No. 179–3, dated August 16, 1961 (26 F.R. 9876), all functions and responsibilities for the sale and distribution of sets of uncirculated coin were transferred from the Office of the Treasurer of the United States to the Bureau of the Mint. Part 92 (Revised), Chapter I, Subtitle B of Title 31 of the Code of Federal Regulations was recently amended by adding thereto a new section, § 92.20a *Purchase of "Mint sets"* (29 F.R. 13321, September 25, 1964). This new section describes official U.S. Mint sets of uncirculated coins and prescribes procedures for ordering such sets.

Therefore, Part 361, Chapter II, Subchapter C of Title 31 of the Code of Federal Regulations has become obsolete and is hereby revoked.

(R.S. 161; 5 U.S.C. 22)

Dated: November 9, 1964.

[SEAL] ROBERT A. WALLACE,
Assistant Secretary.

[F.R. Doc. 64–11620; Filed, Nov. 13, 1964; 8:47 a.m.]

Title 46—SHIPPING

Chapter II—Maritime Administration, Department of Commerce

SUBCHAPTER G—EMERGENCY OPERATIONS

[General Order 75, 2d Rev., Amdt. 5]

PART 308—WAR RISK INSURANCE

Miscellaneous Amendments

Effective as of midnight December 7, 1964, G.m.t., Part 308 is hereby amended to reflect the following changes:

Amend § 308.6 *Period of interim binders and renewal procedure,* § 308.106 *Standard form of war risk hull insurance interim binder and optional disbursements insurance endorsement,* § 308.206 *Standard form of war risk protection and indemnity insurance interim binder,* and § 308.305 *Standard form of Second Seamen's war risk insurance interim binder,* by changing the expiration dates contained therein to read "midnight, September 7, 1965, G.m.t."

(Sec. 204, 49 Stat. 1987, as amended; 46 U.S.C. 1114)

Dated: November 5, 1964.

By order of the Deputy Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64–11565; Filed, Nov. 13, 1964; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 0—COMMISSION ORGANIZATION

PART 97—AMATEUR RADIO SERVICE

Examining and Licensing of Radio Operators

In the matter of amendment of Appendix 1, Part 97 and §§ 0.316(b) and 0.445(b) of the Commission's rules with regard to examining and licensing of radio operators.

Order. The Commission having under consideration a modification of the provision made under Parts 0 and 97 of its rules for examining applicants for amateur operator licenses and acting on applications for commercial radio operator licenses; and

It appearing, that the Commission's district field office at Los Angeles, California and its marine office at San Pedro, California both perform the aforementioned examining and licensing functions; that, except for acting on applications for Restricted Radiotelephone Operator Permits, the performance of said functions by the San Pedro office is unnecessary in view of its close proximity to the Los Angeles office and should be discontinued; and

It further appearing, that adoption of the aforementioned change would eliminate duplication of certain functions and would be in the public interest; and

It further appearing, that the amendment herein ordered is procedural in nature and not substantive and therefore compliance with the public rulemaking procedures required by sections 4 (a) and (b) of the Administrative Procedure Act is not required.

It is ordered, This 9th day of November 1964 pursuant to authority of § 0.261 of the Commission's rules and to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and pursuant to section 3(a) of the Administrative Procedure Act, that Appendix 1, to Part 97 and §§ 0.316(b) and 0.445(b) of the Commission's rules be amended as set forth below, effective December 17, 1964.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: November 10, 1964.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

1. Section 0.316(b) is amended to read as follows:

§ 0.316 Authority delegated to Marine Supervisors at marine offices, to engineers engaged in ship inspection duties at radio district offices, and to radio engineers at suboffices.

* * * * *

(b) The Marine Supervisor at the marine office of the Field Engineering Bureau at Tampa, Fla., is delegated authority to act upon matters set forth in § 0.314 (a), (d), (e), (g), (j), (k), and (o). The Marine Supervisor at the marine office of the Field Engineering Bureau at San Pedro, Calif., is delegated authority to act upon matters set forth in § 0.314 (e), (g), (j), (k), and (o), and to act upon applications for restricted radiotelephone operator permits and requests for provisional radio operator certificates related thereto.

* * * * *

§ 0.445 [Amended]

2. Section 0.445(b) of the Commission's rules is amended by deleting San Pedro, Calif., from the list of cities set forth therein at which examinations are given.

3. Part 97, Appendix 1, paragraph 2, is amended by deleting San Pedro, Calif., from the list of offices at which examinations are given.

[F.R. Doc. 64-11636; Filed, Nov. 13, 1964; 8:48 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLES

[Ex Parte Nos. MC-19, MC-61; Released Rates Order No. MC-505]

MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS; PRACTICES AND RELEASED RATES

Miscellaneous Amendments

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 9th day of October A.D. 1964.

PART 176—TRANSPORTATION OF HOUSEHOLD GOODS IN INTERSTATE OR FOREIGN COMMERCE

It appearing, that on April 30, 1964, the Commission entered an order amending, renumbering, and revising Part 176, Transportation of Household Goods in Interstate or Foreign Commerce (49 CFR 176) and directed that the rules and regulations promulgated therein become effective on July 10, 1964;

It further appearing, that on April 30, 1964, the Commission entered Released Rates Order No. MC-505 on the record made in Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods, and directed that Released Rates Order Nos. MC-2-B of April 21, 1953, MC-309 of March 28, 1950, MC-330 of May 22, 1951, MC-362 of May 24, 1954, and MC-429 of September 26, 1958, be rescinded effective July 10, 1964;

It further appearing, that the proceedings in Ex Parte No. MC-19, Practices of Motor Common Carriers of Household Goods, and Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods were ordered discontinued;

It further appearing, that by order dated June 26, 1964, the Commission directed its two orders of April 30, 1964, in Ex Parte Nos. MC-19 and MC-61 to be modified so as to postpone their effective dates from July 10, 1964, to November 10, 1964;

It further appearing, that on June 24, 1964, petitions were filed jointly on behalf of the American Movers Conference, Household Goods Carriers Bureau, and the Movers and Warehousemen's Association of America, Inc., and individually by Wheaton Van Lines, Inc., requesting limited reconsideration of the Commission's report and orders dated April 30, 1964, in Ex Parte Nos. MC-19 and MC-61 and that replies to said petitions have been filed by the Bureau of Inquiry and Compliance, Wheaton, and the three carrier associations;

It further appearing, that upon consideration of said petitions and replies thereto the Commission determined that the said petitions should be granted and the proceedings in Ex Parte Nos. MC-19 and 61 reopened for limited reconsideration on the record made;

And it further appearing, that the Commission, on the date hereof, has made and filed its report on reconsideration herein setting forth the basis for its conclusions and findings therein, which report and the prior reports in 17 M.C.C. 467, 47 M.C.C. 119, 48 M.C.C. 247, 53 M.C.C. 177, 71 M.C.C. 113, and 95 M.C.C. 138, are hereby referred to and made a part hereof:

It is ordered, That the petitions dated June 24, 1964, filed jointly by American Movers Conference, Household Goods Carriers Bureau, and the Movers and Warehousemen's Association of America, Inc., and individually by Wheaton Van Lines, Inc., be, and they are hereby granted to permit the reconsideration, on the record made, of our new Released Rates Order No. MC-505 entered in Ex Parte No. MC-61, Released Rates of Motor Common Carriers of Household Goods, and certain minor revisions or clarifications to the regulations prescribed in our Order dated April 30, 1964, entered in Ex Parte No. MC-19, Practices of Motor Common Carriers of Household Goods.

It is further ordered, That the following sections of Part 176, be and they are hereby, revised and modified so as to read as follows:

Amend § 176.3(c) to read as follows:

§ 176.3 Determination of weights.

* * * * *

(c) *Driver's weight certificate.* Whenever weights are required to be obtained pursuant to these rules, the carrier shall cause to be executed a weight certificate for each shipment, in the form specified below, at the time the last necessary weight is obtained, and the original or a copy of such certificate shall be carried in the vehicle transporting the shipment and shall be displayed upon request of the party paying the carrier's charges. The original or a true copy of such certificate shall be maintained by the carrier as part of its record of shipment.

DRIVER'S WEIGHT CERTIFICATE

Date _____

Name of carrier _____

Vehicle identification _____

Name of shipper _____

Origin of shipment _____

Destination of shipment _____

Gross weight of loaded vehicle without the crew thereon _____ pounds.

Tare weight of vehicle without the crew thereon, including full fuel tank and all necessary pads, chains, dollies, hand trucks, and other equipment _____ pounds.

Net weight of the shipment _____ pounds.

The above gross and tare weights were obtained at scales—

Gross:

_____
(Name of scale owner)

_____
(Location)

Tare:

_____
(Name of scale owner)

_____
(Location)

as shown by attached weight ticket(s) prepared by the weighmaster.

(Attach only gross weight ticket if tare weight is obtained from a weight ticket on shipments listed below.)

List of shipments, if any, on vehicle at time above weights were obtained:

Shipper	*Net weight*
_____	_____
_____	_____
_____	_____

I certify the above entries are true and correct.

_____
(Driver's signature)

Amend §§ 176.7 and 176.8 to read as follows:

§ 176.7 Selling of insurance to shippers prohibited.

No such common carrier or any employee, agent, or representative thereof, shall sell, or offer to sell, or procure for any shipper, any kind of insurance, under any type of policy, covering loss or damage to a shipment or shipments of household goods to be transported in interstate or foreign commerce by such carrier, but this section shall not preclude such a carrier from procuring in its own name insurance covering its liability for such loss or damage.

§ 176.8 Receipt or bill of lading; information thereon.

(a) *Issuance of a receipt or bill of lading.* No such common carrier shall issue a receipt or bill of lading for household goods to be transported in interstate or foreign commerce prior to receiving such household goods for such transportation; but common carriers must issue such receipt or bill of lading when such household goods are received.

(b) *Information required on receipt or bill of lading.* Whenever a receipt or

bill of lading is issued in compliance with preceding paragraph (a), the carrier shall cause to be included therein the following information:

(1) The name of the motor carrier (not the agent's name) which will transport the shipment; if shipment is to be interlined, the names of the connecting carriers provided they are known when the shipment is received.

(2) The name, address, and telephone number of the office of the carrier that should be contacted in relation to the shipment, should there be a need for such contact.

(3) The name, address, and telephone number of a person to whom notification provided for in paragraph (c) of this section shall be given, except when this cannot be obtained from the shipper.

(4) The preferred delivery date or the period of time within which delivery of the shipment may be expected to be made at destination.

(c) *Notification of delay in delivery.* Whenever a carrier is unable to make delivery of a shipment of household goods on the date or during the period specified in the receipt or bill of lading, the carrier shall notify the shipper, or person designated by the shipper, by telegram or telephone, at the carrier's expense, of the date on which delivery of the shipment will be made; such notification to be given not less than 24 hours prior to the date or during the period shown on the receipt or bill of lading except when the circumstances causing the delay occur at a later time, in which case the notice shall be given as soon as possible but in no event more than 24 hours after the occurrence: *Provided,* That the requirement of this paragraph shall not apply where the carrier is unable to obtain from the shipper an address or telephone number for such notification.

In § 176.9, paragraph (b) *Insurance policy* and paragraph (c) *Advertisement of insurance* are revoked and paragraph (d) *Filing tariffs and evidence of insurance prerequisite to advertising that "all loads are insured"* is renumbered as paragraph (b)

In § 176.10, amend paragraphs (a) and (c), redesignate paragraph (d) as paragraph (f), and add new paragraphs (d), (e), and (g). The amended and added paragraphs read as follows:

§ 176.10 Estimates of charges.

(a) *Estimates by the carrier.* Whenever an estimate of the charges for a proposed service shall be given by a carrier to a prospective shipper of household goods, the estimate shall be made only after a visual inspection of the goods by the estimator. Such estimate shall be in the form[1] hereinafter set forth, and across the top of each form there shall be imprinted, in red letters not less than one-half inch high, the words "Estimated Cost of Services." The form shall be fully executed as appropriate in each case in accordance with the instructions therein. The original or a true legible copy of each estimate form prepared in accordance with this paragraph shall be delivered to the shipper; and a copy thereof shall be maintained by the carrier as part of its record of shipment. The shipper shall not be permitted or required to sign the "Estimated Cost of Services" form.

* * * * *

(c) *Specific request of shipper for notification.* Whenever the shipper specifically requests notification of the actual weight and charges on a shipment, the carrier shall comply with such request immediately upon determining the actual weight and charges, by telephone or telegraph if so requested. Such notification shall be at the carrier's expense in instances in which notification would be required under paragraph (d) of this section and in all other instances unless the carrier provides in its tariff that the actual cost of such notification shall be collected from the shipper. Such notification shall be made no later than 24 hours prior to the time the shipment is offered for delivery except where the shipment is in transit less than 24 hours.

(d) *Notification to shipper where charges exceed estimate.* Whenever actual charges on any shipment exceed by more than 10 percent or $25, whichever is greater, any estimate of charges given by the carrier to the shipper, immediately upon determining the actual charges, the carrier shall notify the shipper of the amount thereof by telegram or telephone at the carrier's expense. Such notice shall be made no later than 24 hours prior to the time the shipment is offered for delivery, except where the shipment is in transit less than 24 hours; *Provided,* That this paragraph shall not apply (1) where credit is to be extended by the carrier, and (2) where the shipper has not supplied, upon request by the carrier, an address or telephone number at which the communication would be received.

(e) *Report of underestimates.* Every motor common carrier of household goods shall file each month with the Interstate Commerce Commission, Washington, D.C., 20423, a report of all instances during the preceding month where the actual charges for services rendered exceeded the estimates of such charges by 10 percent or more, with an explanation of reasons for the variances.

* * * * *

(g) *Order for services shall not show charges or estimates.* There shall not be shown on any form in the nature of a "Moving Order" or "Order for Service" which may be used by carriers of household goods any charges or estimates of charges nor any reference to any estimate of charges given to the shipper.

Amend § 176.12 to read as follows:

§ 176.12 Information for prospective shippers.

(a) *Summary of information.* During the course of the first interview with every prospective shipper, every carrier of household goods shall cause to be given to the prospective shipper a summary of information in the form specified below. Such summary shall be printed on one sheet in not less than eight-point bold or full-faced type, and shall contain only the heading "Important notice to shippers of household goods" and the information shown below under that heading. The carrier's name, address, and telephone number may be shown on the sheet if that is desired. If no personal interview is had with a shipper, the carrier shall cause such summary to be mailed to the shipper on or prior to the day on which the order for service is placed. The carrier shall make an appropriate notation on the receipt or bill of lading that such summary has been furnished.

IMPORTANT NOTICE TO SHIPPERS OF HOUSEHOLD GOODS

The Interstate Commerce Commission requires that this notice and accompanying general information be furnished to all prospective shippers of household goods in interstate or foreign commerce.

Estimates. Carriers cannot determine exactly what your move will cost you until all packing has been completed and the goods are loaded on a vehicle and weighed. They make estimates to try to approximate the cost for you. To get a reasonably accurate estimate you must show the estimator everything you intend to ship. An estimate is not a bid nor a contract, and choosing the carrier submitting the lowest estimate will not assure you the lowest cost move. Regardless of any estimate, the actual weight of your goods and the actual amount of packing and other services performed by the carrier will determine the final amount you must pay for your moving. All estimates are now required to be in writing. Do not accept any verbal approximation of the charges.

Carrier responsibility for loss and damage. At its lowest rates, the carrier's responsibility for loss or damage caused by it is limited to sixty (60) cents per pound for the actual weight of each lost or damaged article. Most articles are worth more than this, and many are worth a great deal more. If you wish to hold the carrier responsible for the full value of any articles which it loses or damages, you must pay an extra charge of fifty (50) cents for each one hundred pounds shipped, with a maximum charge of $50, and if your shipment has a greater value than $10,000 a further charge of $5 for each $1,000 of valuation in excess of $10,000. Unless you have some other means of recovering the value of your lost or damaged goods, you should seriously consider paying the extra charges. These charges will be added by the carrier automatically when you declare the value of your shipment unless you declare a value of sixty (60) cents per pound per article. The extra charges will cover the actual value of all items lost or damaged up to a total of $10,000, and if you declare a higher value they will cover that higher value as well.

Notification of charges and delay. The carrier is required to notify you by telegram or telephone of any delays in delivery. Also of the amount of the charges if you request it or if they exceed the estimate by more than 10 percent or $25 whichever is greater. Be sure to give the carrier an address or telephone number where such messages can be sent.

Packing. Many articles must be packed in barrels, cartons, or crates so that they can be handled safely. Wardrobes are usually supplied for garments. There is a charge per container for these services. You may do your own packing. However, the carrier is not responsible for damage resulting from faulty packing you perform. The carrier will unpack containers it has packed, if you wish, but not those you have packed. Be sure mechanisms of refrigerators, washers, etc., are serviced to prevent damage during movement.

[1] Form filed as part of original document.

Payment and delivery. The carrier will require payment in cash, money order, or certified check before unloading your goods unless credit arrangements were made beforehand. Be prepared in case the actual charges demanded at this time are greater than what was estimated.

Lost or damaged articles. Be sure to check your goods as they are delivered. Note any lost articles or damage on the receipt which you will sign upon completion of the delivery. If other loss or damage is discovered later, notify the carrier immediately. A claim can be filed later.

Additional information. More detailed information is provided in a general information statement which the carrier must provide when you place an order for service.

(b) *Statement of general information.* Whenever the carrier receives an order for service, written or orally, it shall furnish the shipper immediately a printed statement, in not less than eight-point type, containing the information set forth below. Such statement in every instance shall be placed in the hands of the shipper prior to the time the goods are loaded. The carrier shall make an appropriate notation on the receipt or bill of lading that such statement has been furnished.

GENERAL INFORMATION FOR SHIPPERS OF HOUSEHOLD GOODS

This statement is of importance to you as a shipper of household goods and is being furnished by the carrier pursuant to a requirement of the Interstate Commerce Commission. It relates to the transportation of household goods, in interstate or foreign commerce by motor carriers frequently called "Movers" but here called carriers. Some carriers perform the transportation themselves. Others act as agents for the carriers which do the actual hauling. In some instances, the transportation is arranged by brokers. You should be sure to obtain the complete and correct name, home address, and telephone number of the carrier which is to transport your shipment, and keep that carrier informed as to how and where you may be reached at all times until the shipment is delivered. Before completing arrangements for the shipment of your household goods, all of the information herein should be considered carefully by you.

Estimates. Regardless of any prior estimate received, for the carriage of your shipment, you will be obligated to pay transportation charges and other charges computed in accordance with tariffs filed by the carrier with the Interstate Commerce Commission. The total charges which you must pay may be more, or less, than the estimate received from the carrier, and as explained under "Payment of charges—freight bill," the charges generally must be in cash or by money order or certified check at the time of delivery. Having additional funds on hand when the van arrives at destination can spare you considerable difficulty.

Tariffs. These are publications, in book form, containing the rates, charges, and rules of the carriers. The tariffs of all carriers are not the same, but all of them are open to public inspection and may be examined at the carrier's office. All tariffs contain rules and regulations, and those in the tariff of the carrier serving you must be applied in determining the charges on your shipment. Among the rules and regulations normally appearing in published tariffs will be found special provisions applicable to "Shipments picked up or delivered at more than one place"; "Packing and marking"; "Diversion of shipments en route"; and "Additional services", the charges for which are called accessorial charges, and which include services such as packing, unpacking, the furnishing of boxes or other containers, and carrying pianos up or down steps. The tariff of the carrier serving you will also probably have rules relating to the subjects which follow.

Preparing articles for shipment. Some articles such as stoves, refrigerators, and washing machines may require disconnection and usually require special servicing to protect their mechanisms during movement. It is your responsibility to have this done. Some carriers upon your request will arrange to have this servicing done at your expense. You should arrange to take down all blinds, draperies, window cornices, mirrors, and other items attached to the walls, and to take up carpets which are tacked down. The charge for such service is not included in the transportation charge and will be performed by the carrier only at an extra per-hour charge. Under no circumstances should you pack jewelry, money, or valuable papers with your other belongings, or pack any matches, inflammables, or other dangerous articles.

Transportation rates and released values. Rates are stated in amounts per hundred pounds, depending upon the distance involved. The carriers' charges generally vary according to the released or declared value of the shipment. Their tariffs usually provide that at its lowest rates, the carrier's responsibility for loss or damage caused by it is limited to sixty (60) cents per pound for the actual weight of each lost or damaged article. Most articles are worth more than this, and many are worth a great deal more. If you wish to hold the carrier responsible for the full value of any articles which it loses or damages, you must pay an extra charge of fifty (50) cents for each one hundred pounds shipped, with a maximum charge of $50, and if your shipment has a greater value than $10,000, a further charge of $5 for each $1,000 of valuation in excess of $10,000. Unless you have some other means of recovering the value of your lost or damaged goods, you should seriously consider paying the extra charges. These charges will be added by the carrier automatically when you declare the value of your shipment unless you declare a value of sixty (60) cents per pound per article. The extra charges will cover the actual value of all items lost or damaged up to a total of $10,000, and if you declare a higher value they will cover that higher value as well.

Weights. The transportation charges will be determined on the basis of the weight of your shipment. Ordinarily, the carrier will weigh its empty or partially loaded vehicle prior to the loading of your goods. After loading, it will again weigh the vehicle and determine the weight of your shipment. If your shipment weighs less than 1,000 pounds, the carrier may weigh it prior to loading.

If you so request, the carrier will notify you by telegraph or telephone of the weight of your shipment and the charges as soon as the weight has been determined. This may or may not be at your expense. However, where it develops that the actual charges exceed by more than 10 percent or $25, whichever is greater, an estimate of charges given to you by the carrier, the carrier is required to notify you immediately of the amount of the actual charges, by telegraph or telephone at the carrier's expense.

If you question the weight reported by the carrier, you may request that the shipment be reweighed prior to delivery. Reweighing will be accomplished only where it is practicable to do so. An extra charge may be made for reweighing, but only if the difference between the two net weights obtained does not exceed 100 pounds (if your shipment weighs 5,000 pounds or less) or does not exceed 2 percent of the lower net weight (if your shipment weighs more than 5,000 pounds). The lower of the two net weights must be used in determining the charges.

Exclusive use of the vehicle. If you do not desire to have the goods belonging to someone else transported with your shipment, you may direct the carrier to grant you the exclusive use of the vehicle. In such event, however, the charges will probably be much greater.

Expedited service. Carriers are not ordinarily required to make delivery on a certain date or within a definite period of time, but only within a reasonable time. However, their tariffs generally contain a rule to the effect that, upon request of the shipper, goods weighing more than a designated weight—usually 5,000 pounds—will be delivered on or before the date specified by the shipper. Such expedited service on shipments weighing less than that amount usually may be obtained only by paying charges based on 5,000 pounds.

Preferred delivery date—delay. Unless expedited service is to be rendered, as mentioned just above, the carrier is not obligated to deliver your goods on any particular day, but only to deliver within a reasonable time. However, when the goods are loaded, the carrier must specify on the bill of lading the delivery date (or period) which you prefer. If the carrier finds that it cannot deliver by that date it is required to notify you by telegraph or telephone at least 24 hours in advance if that is possible, or as soon thereafter as possible.

Small shipments. If your shipment weighs less than the minimum weight prescribed in the carrier's tariff, it will be subject to the minimum charge provided therein. If your shipment weighs substantially less than the minimum weight prescribed by the carrier, you should give consideration to the possibility that it may be shipped more reasonably by other means of transportation, even considering the expense of crating.

Storage in transit. If you desire your household goods to be stored in transit, and delivered at a later date, you may usually obtain such service upon specific request. The length of time a shipment may be stored in transit is limited by the carrier's tariff, and additional charges are normally made for such service. At the end of the designated storage-in-transit period, and in the absence of final delivery instructions, the shipment will be placed in permanent storage, and the carrier's liability in respect thereof will cease. Any further service must be made the subject of a separate contract with the warehouseman. If you do not specifically request storage-in-transit from the carrier, but arrange with someone other than the carrier to pick up your goods for storage, you will be required to pay such other person for such service. Some warehouses make seperate charges for checking goods out of storage, and collect dock charges from carriers for the space occupied by their vehicles while being loaded. Such charges are passed on to the shipper.

Bill of lading. Before your shipment leaves point of origin, you should obtain from the carrier a bill of lading or receipt, signed by you and the carrier. Be sure that this shows the carrier's name and address and the telephone number at which you can reach the carrier; an address and telephone number furnished by you to which the carrier can send messages regarding your shipment; the location to which your goods are moving; the date of loading and the preferred date of delivery; and the declared or released valuation of the goods.

Payment of charges—freight bill. Unless you have made arrangements beforehand for credit, the carrier will require payment in cash or by money order or certified check, before unloading. Be prepared with sufficient funds to pay the actual charges, which may be greater than what was estimated.

When paying charges, you should obtain a receipt for the amount paid setting forth the gross and tare weights of the vehicle; the net weight of your shipment; the mileage;

the applicable rate per 100 pounds; and the charges for transportation, additional protection, and any accessorial services performed. Such receipt is called a freight bill or expense bill.

Loss or damage. In the event of loss or damage to the shipment be sure you describe such loss or damage by making notations on the carrier's inventory of articles or delivery receipt. If the driver should refuse to permit you to make such notations, you should immediately report the circumstances and the condition of the articles in writing to the home office of the carrier. The notations made at the time of delivery does not constitute filing a claim in writing. The notation is made to support a claim to be filed later. If loss or damage did occur, you should then immediately address a letter to the home office of the carrier and describe the loss and damage. List the articles separately and show the weight of each damaged article, if you declared a released value of 60 cents per pound per article. Obtain and present to the carrier itemized estimates of cost of necessary repairs or replacement. Give the date of your move, the origin and destination of the shipment, and the carrier's order number.

All claims for loss or damage must be filed with the carrier, in writing. The carrier is required to acknowledge claims within 30 days and to either pay, decline, or make a firm compromise settlement offer within 120 days of receipt. If some reason beyond the carrier's control delays action on your claim for a longer time, the carrier is required to notify you then as to its status and each 30 days thereafter until final action is taken.

The Interstate Commerce Commission has no authority to compel carriers to settle claims for loss or damage and will not undertake to determine whether the basis for, or the amount of, such claims is proper, nor will it attempt to determine the carrier liable for such loss or damage. If the carrier will not voluntarily pay such claims, the shipper may contact the Interstate Commerce Commission for the name of the insurance company providing the required cargo insurance. The insurance company may be willing to settle a claim even if the carrier is not. The shipper may also commence a suit in a court of law. The names of the carrier's agents for service of process in each State may be obtained by writing the Interstate Commerce Commission, Washington, D.C., 20423.

Add a new rule numbered § 176.14 to read as follows:

§ 176.14 Claims for loss or damage.

(a) *Acknowledgement of claims.* Every common carrier of household goods which receives a written claim for loss of or damage to property transported by it shall acknowledge receipt of such claim in writing to the claimant within 30 calendar days after its receipt by the carrier or the carrier's agent. The carrier shall at the time such claim is received, cause the date of receipt to be recorded on the claim.

(b) *Handling by carrier.* Every such carrier which receives a written claim for loss or damage to household goods transported by it shall pay, decline, or make a firm compromise settlement offer in writing to the claimant within 120 days after receipt of the claim by the carrier or its agent; *Provided,* That, if for reasons beyond the control of the carrier the claim cannot be processed and disposed of within 120 days after the receipt thereof, the carrier shall at that time and the expiration of each succeeding thirty-day period while the claim remains pending, advise the claimant in writing of the status of the claim and the reasons for the delay in making final disposition thereof, and send a copy of such letter to the District Supervisor, Interstate Commerce Commission, Bureau of Motor Carriers, of the area in which the carrier has its principal place of business.

(c) *Register of loss and damage claims.* Every common carrier of household goods shall maintain a freight claim register, showing for each cargo loss and damage claim received, the claim number, date, and amount; the waybill or expense bill number and date; name of claimant; kind of commodity; date claim was paid; total amount paid; or date claim was disallowed and reasons; amount of salvage recovered, if any; amounts reimbursed by insurance companies, connecting carriers, or others, and the amount absorbed by the carriers. Each claim received shall be entered in the register and should be supported by the complete file of claim papers. However, if the claim papers are retained by insurance companies, connecting carriers, or others, the carrier's records should contain an acknowledgment from the party retaining the claim file that the papers are in its possession.

It is further ordered, That the rules herein prescribed and the released rates order attached hereto be, and they are hereby, prescribed to become effective on February 1, 1965.

It is further ordered, That the proceedings in Ex Parte No. MC–19, Practices of Motor Common Carriers of Household Goods, and Ex Parte No. MC–61, Released Rates of Motor Common Carriers of Household Goods, be, and they are hereby, discontinued.

And it is further ordered, That notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy with the Director, Office of the Federal Register.

PART 187—FREIGHT TARIFFS, SCHEDULES AND CLASSIFICATIONS

Upon reconsideration of the record in Ex Parte No. MC–61, Released Rates of Motor Common Carriers of Household Goods, the Commission, on the date hereof, has made and filed its report herein setting forth the basis for its conclusions and findings therein, which report is hereby referred to and made a part hereof:

It is ordered, That, § 187.201 (49 CFR 187.201) be, and it is hereby, amended to read as follows:

§ 187.201 Released rates on household goods.

(a) *Establishment authorized; rate bases.* Subject to the conditions specified in succeeding paragraphs hereof, each motor common carrier authorized to perform the specialized service of a household goods carrier be, and it is hereby, authorized to establish and maintain by filing and posting in the manner required by the Interstate Commerce Act, commodity rates for the transportation in interstate or foreign commerce, and charges for accessorial services in connection therewith, of household goods, as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, said rates and charges to be applicable only when the value of the property as declared by the shipper in writing, or agreed upon in writing as the released value thereof is as follows:

Released values and liability limitations	Transportation rate basis	Storage in transit rate basis
Released to a value not exceeding sixty (60) cents per pound for the actual weight of any lost or damaged article or articles in a shipment.	Base transportation rate.	Base storage rates.
Released to a value greater than sixty (60) cents per pound per article.	Base transportation rate plus an additional charge of fifty (50) cents per cwt. with a maximum charge of $50; plus five dollars ($5) per one thousand dollars ($1,000), or fraction thereof, of value declared in excess of ten thousand dollars ($10,000).	110% of the base storage rates.

Where a shipment is released to a value greater than sixty (60) cents per pound per article, the carrier's maximum liability shall be $10,000 per shipment, or the total value declared, whichever is greater. No rule of coresponsibility may be employed.

The total parts comprising any article knocked down or taken apart for handling or loading shall constitute one article for the purpose of determining the carrier's liability as above provided.

(b) *Changes in rates or released valuations.* Changes may be made in the rates or charges established under the authority of this order, but the released values provided herein may not be decreased, nor may the value charges as specified herein be increased without specific authority of this Commission.

(c) *Statement on orders for services and bills of lading.* The order for services and the bill of lading issued for any shipment accepted for transportation and storage at released rates and charges established and maintained under authority of this order, shall have printed in distinctive color in boldface type on the face thereof a statement reading as follows:

Unless the shipper specifies otherwise, the carrier will be liable for the actual value of all articles lost or damaged, up to a total of $10,000, and, if a greater value is declared up to that greater value. For this liability, an additional charge of fifty (50) cents per hundred pounds is made, with a maximum charge of $50. If the value declared is greater than $10,000 a further charge of $5.00 will be made for each $1,000 of such additional declared value. If the shipper wishes to avoid these additional charges, he must agree that if any articles are lost or damaged, the carrier's liability will not exceed sixty (60) cents per pound for the actual weight of any lost or damaged article or articles in the shipment.

(d) *Statement of carrier's maximum liability.* Tariffs containing rates or charges established under authority of

this order shall specifically provide: The carrier's maximum liability shall be either:

(1) Sixty (60) cents per pound for the actual weight of any lost or damaged article or articles, if such a value has been expressly declared by the shipper; or

(2) $10,000 per shipment, or the total value declared, whichever is greater, for which the shipper shall pay the additional charges provided. No rule of coresponsibility may be employed.

(e) *Notation required in tariffs.* Tariffs containing rates or charges established under authority of this order shall show in connection therewith the following notations:

The released value must be entered on the bill of lading in the following form and may be completed only by the person signing the bill of lading.

Shipper, by signature below, agrees to the conditions hereon and the contract terms and conditions on the back hereof and hereby releases the entire shipment to a value not exceeding----------

---

(To be completed by the person signing below)

NOTICE: The Shipper signing this contract must insert in the space above, in his own handwriting, one of the following:

a. "$10,000"; or

b. The full actual value of the shipment if that value is greater than $10,000; or

c. "60¢ per pound per article"

(Shipper)

(Date)

Rates or charges herein based on released value have been authorized by the Interstate Commerce Commission in Released Rates Order No. MC–505 of October 9, 1964, subject to complaint or suspension.

(f) *Limitation of authority.* This section does not constitute authority for the establishment of released rates or charges on any description of traffic other than herein specifically indicated, nor on traffic originating in an adjacent foreign country destined to points in the United States.

(g) *Lawfulness of rates.* The Commission does not hereby approve the lawfulness, except under sections 20(11) and 219 of the Interstate Commerce Act, of any rate or charge which may be filed under authority of this section.

It is further ordered, That Released Rates Orders Nos. MC–2–B of April 21, 1953, MC–309 of March 28, 1950, MC–330 of May 22, 1951, MC–362 of May 24, 1954, and MC–429 of September 26, 1958, be, and they are hereby, rescinded as of February 1, 1965, the date this order is to become effective.

(Sec. 204, 49 Stat. 546, as amended, 49 U.S.C. 304, interpret or apply Sec. 219, as amended, 20, as amended, 49 Stat. 563, as amended, 24 Stat. 386, as amended 49 U.S.C. 319, 320)

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 64–11608; Filed, Nov. 13, 1964; 8:46 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 929]

CRANBERRIES

Notice of Proposed Rule Making

Consideration is being given to the approval of proposed expenses and a proposed rate of assessment, recommended by the Cranberry Marketing Committee, established pursuant to the marketing agreement and Order No. 929 (7 CFR Part 929). This marketing order regulates the handling of cranberries grown in Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York.

All persons who desire to submit written data, views, or arguments in connection with the aforesaid proposals shall file the same, in quadruplicate, with the Hearing Clerk, U.S. Department of Agriculture, Room 112, Administration Building, Washington, D.C., 20250, not later than 10 days after the publication of this notice in the FEDERAL REGISTER. All written submissions made pursuant to this notice will be available for public inspection at the office of the Hearing Clerk during regular business hours (7 CFR 1.27(b)).

§ 929.205 Expenses and rate of assessment for the 1964–65 fiscal period.

(a) *Expenses.* The reasonable expenses to be incurred by the Cranberry Marketing Committee, established pursuant to the provisions of the marketing agreement and this part (Order No. 929), for its maintenance and functioning during the fiscal period ending July 31, 1965, will amount to $9,873.35.

(b) *Rate of assessment.* The rate of assessment to be paid by each handler who first handles cranberries shall be one cent ($0.01) per barrel of cranberries, or an equivalent quantity of cranberries, handled by him as the first handler thereof during the said fiscal period.

Dated: November 10, 1964.

PAUL A. NICHOLSON,
Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 64–11634; Filed, Nov. 13, 1964; 8:48 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 64–77]

JAMES RIVER

Notice of Closure to Navigation During Sea Trials of "America"

By virtue of the authority vested in me as Commandant, U.S. Coast Guard, by Treasury Department Order 120 dated July 31, 1950 (15 F.R. 6521) and Executive Order 10173, as amended, by Executive Orders 10277 and 10352, I hereby affirm for publication in the FEDERAL REGISTER the order of O. C. Rohnke, Rear Admiral, U.S. Coast Guard, Commander, Fifth Coast Guard District, who has exercised authority as District Commander, such order reading as follows:

SPECIAL NOTICE JAMES RIVER

Under the authority of Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended, and Executive Order 10173, as amended, I declare that the following area is a prohibited area on Wednesday, November 18, 1964, Friday, November 20, 1964, Tuesday, December 1, 1964, and Thursday, December 3, 1964, during sea trials of "America" (CVA–66):

The waters of the James River, Norfolk-Newport News Harbor, Virginia within the coordinates of latitude 36 degrees 59 minutes 10 seconds North, longitude 76 degrees 26 minutes 31 seconds West; thence westerly to latitude 36 degrees 58 minutes 43 seconds North, longitude 76 degrees 27 minutes 32 seconds West; thence southeasterly to latitude 36 degrees 58 minutes 10 seconds North, longitude 76 degrees 26 minutes 59 seconds West; thence northeasterly to latitude 36 degrees 58 minutes 29 seconds North, longitude 76 degrees 26 minutes 14 seconds West.

Upstream and downstream limits of this prohibited area will be marked by two special purpose buoys, painted with orange and white horizontal bands.

No vessel may anchor in this prohibited area on any of the four dates.

No person or vessel may remain in or enter this prohibited area while "America" is underway or anchored in the prohibited area.

The Captain of the Port may be assisted by employees and facilities of any State or political subdivision thereof or any Federal Agency.

For violation of this order Title II of the Espionage Act of June 15, 1917 (40 Stat. 220), as amended, provides:

"If any owner, agent, master, officer, or person in charge, or any member of the crew of any such vessel fails to comply with any regulation or rule issued or order given under the provisions of this title, or obstructs or interferes with the exercises of any power conferred by this title, the vessel, together with her tackle, apparel, furniture, and equipment, shall be subject to seizure and forfeiture to the United States in the same manner as merchandise is forfeited for violation of the customs revenue laws; and the person guilty of such failure, obstruction, or interference shall be fined not more than $10,000 or imprisoned not more than two years, or both.

"If any other person knowingly fails to comply with any regulation or rule issued or order given under the provisions of this title, or knowingly obstructs or interferes with the exercise of any power conferred by this title, he shall be punished by imprisonment for not more than ten years and may, at the discretion of the court, be fined not more than $10,000."

Dated: November 6, 1964.

[SEAL] W. D. SHIELDS,
Vice Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 64–11624; Filed, Nov. 13, 1964; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bonneville Power Administration

CERTAIN OFFICIALS

Redelegations of Authority

All section references in existing documents or forms to sections 1 to 18 of the former Redelegations of Authority shall be deemed to refer to the comparable section of these redelegations.

1. *Acting Administrator—succession and authority.* a. The line of succession as Acting Administrator is prescribed in the Departmental Manual (302 DM 4.10) and provides that in case of the death, resignation, or absence of the Administrator, the following officers or employees shall act as Administrator in the order indicated:

(1) Deputy Administrator

(2) Assistant Administrator for Power Management (Power Manager)

(3) Assistant Administrator for Administrative Management (Director of Administrative Management)

(4) Assistant Administrator for Engineering (Chief Engineer)

(5) In the event the above officials are unavailable, the Administrator may designate any one of the following to act as Administrator for a period not to exceed seven days: Assistant Power Manager, Assistant Director of Administrative Management, Assistant Chief Engineer, Field Operations Officer, Assistant to the Administrator, or Assistant to the Administrator-Programs.

b. The Acting Administrator shall perform the duties and exercise the powers of the Administrator except where otherwise provided by law, or Departmental regulation. Any person exercising the functions of the Acting Administrator shall sign documents as "Acting Administrator." (302 DM 4.10)

2. *Civil Defense Emergency—Emergency Administrator and Emergency Field Officials.* a. The line of succession as Emergency Administrator in a civil defense emergency and regulations pertaining thereto are prescribed in the Departmental Manual (205 DM 4). This provides that to assure the continuity of Bonneville Power Administration's direction of its activities in the event of the inability of the Administrator, or an official designated above in section 1, Acting Administrator—Succession and Authority, to exercise this direction, the officials listed below—in the order given—are designated to exercise in a civil defense emergency the authority of the Administrator:

(1) Manager, Portland Area Office

(2) Manager, Seattle Area Office

(3) Manager, Spokane Area Office

(4) Manager, Walla Walla Area Office

(5) Manager, Idaho Falls Area Office

(6) District Manager, Eugene, Oregon

(7) District Manager, Wenatchee, Washington

(8) District Manager, Kalispell, Montana.

b. The foregoing officials are authorized to exercise the full authority of the Administrator when the nature of the situation requires emergency action or does not permit referral to higher authority. However, before exercising such authority the official shall determine insofar as possible that neither the Administrator nor anyone authorized to act for him nor anyone whose title precedes his in the above listing, is able to exercise such authority.

c. Officials exercising emergency authority as Administrator under paragraph a. above shall sign documents as "Emergency Administrator, Bonneville Power Administration."

d. Delegation of authority to heads of field installations: To enable the heads of field installations to take emergency actions in a civil defense emergency during the inability of a superior in the normal chain of command to exercise authority, the head of a field installation, or his authorized representative, may exercise the authority of the Administrator with respect to the field installation (205 DM 4.4). When the official exercising the emergency authority is other than the normal head of the installation, he shall use the title of the latter prefixed with "Emergency," for example: "Emergency Area Manager, Portland Area Office, Bonneville Power Administration," etc. This authority may be exercised only when the nature of the situation requires immediate emergency action that does not permit referral to higher authority.

e. Officials exercising emergency authority shall:

(1) keep a record of important actions they have taken and the period during which they have exercised the authority; and

(2) continue to exercise the authority until normal arrangements become operative again or other delegations of authority are made. (205 DM 4)

3. Designation of acting officials other than Acting Administrator: a. Where an assistant head exists and is available, such assistant (or if more than one, the person designated by competent authority) shall serve as the acting head of the organizational unit during the unavail-

ability of the head of such unit, and in the absence of a specific designation to the contrary.

b. When a position to which authority has been delegated becomes vacant or the incumbent is unavailable, the person having supervisory authority over the position shall designate someone to serve in an acting capacity.

c. Employees serving in an acting capacity shall perform the duties and exercise the powers of the position and shall sign all documents in an acting capacity. Records shall be kept of periods during which and by whom the duties of the position are temporarily assumed. Designations of persons to serve in an acting capacity shall be filed with the Mail and Files Section. (302 DM 1)

4. *Delegated authority—limitation.* a. Except as otherwise expressly provided, all authority delegated herein may be exercised by any of the supervisors of the delegatee.

b. Failure to comply with administrative policy, procedures, or controls shall not impair the legality of an action as far as the public is concerned, but may be grounds for appropriate disciplinary measures.

c. The authority to compromise and settle contract claims granted by the Bonneville Project Act, 50 Stat. 731, as amended, 16 U.S.C. 832a(f) (1958), shall not be exercised by contracting officers in the Division of Engineering or the Division of Administrative Management. (200 DM 1, 200 DM 2, 25 F.R. 324)

5. *Deputy Administrator.* a. The Deputy Administrator may perform all duties and exercise the powers of the Administrator except those which the Administrator cannot redelegate.

b. The Deputy Administrator is designated the Administration's Inspection Officer with responsibility for carrying out its activities as part of the Departmental Inspection program. (205 DM 2; 351 DM 2)

6. *Negotiated contracts.* The following officials may exercise the authority delegated by the Administrator of General Services to the Secretary of the Interior (27 F.R. 3017) and redelegated to the Bonneville Power Administrator (205 DM 11.4, 27 F.R. 9359) to negotiate and execute contracts without advertising in accordance with the applicable provisions of section 302(c) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 378, as amended, 41 U.S.C. 252 (1958), and the limitations prescribed by the Secretary of the Interior. (205 DM 11.4, 27 F.R. 9359; 404 DM 1)

a. Assistant Chief Engineer—contracts for engineering and architectural services pursuant to section 302(c) (4) and (10) of the Act. (205 DM 11.4B)

b. Chief, Branch of Supply—contracts within labor surplus areas pursuant to section 302(c)(1) of the Act when the amount of the contract does not exceed $25,000. (205 DM 11.4A)

c. Chief, Branch of Supply—contracts, after advertising fails to result in receipt of reasonable or competitive bids, pursuant to section 302(c)(14) of the Act. The Head of the Procurement Section may exercise this authority when the amount involved does not exceed $50,000. (205 DM 11.4D)

d. Chief, Branch of Supply—contracts for supplies or equipment of types or designs not commonly used in alternating-current power transmission but required for the construction of a direct-current test line and terminating facilities, pursuant to section 302(c)(11) of the Act. (205 DM 11.4B) The Secreterial determination for the exercise of this authority has been made by Secretary's Order No. 2864, section 1, 27 F.R. 3861. (205 DM 11.4, 27 F.R. 9359; 404 DM 1)

7. *Land activities.* a. The Chief, Branch of Land, may:

(1) Authorize the acquisition of all interests in real estate necessary for the Administration's program, except electric utility system real properties, and authorize payment therefor;

(2) Negotiate and execute agreements for the acquisition of all interests in real estate and other rights and privileges pertaining to real property necessary for the Administration's program, except electric utility system real properties;

(3) Approve appraisals;

(4) Negotiate for the disposal of land and real property rights, except electric utility system real properties, for which the Administration is the authorized disposal agency under delegations heretofore or hereafter made pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 378, as amended, 40 U.S.C. 471 to 492 (1958);

(5) Execute conveyances for the full or partial release of easement rights relating to roads or highways to a State, political subdivision thereof, instrumentality of a State, and to a municipal corporation;

(6) Determine, for the purpose of making reimbursements pursuant to the Act of May 29, 1958, 72 Stat. 152, 43 U.S.C. 1231 to 1234 (1958), the fair value of any parcel of land acquired by the Administration, fix the amounts of reimbursement to which owners and tenants of such parcels of land may be entitled under said Act for moving expenses, losses and damages, and authorize payment therefor;

(7) Execute agreements under which the Administration grants rights or privileges pertaining to real property;

(8) Authorize the publication of advertisements, notices, or proposals when required by law, and authorize payment therefor, pursuant to section 3828 of the Revised Statutes, 16 Stat. 308, 44 U.S.C. 324 (1958);

(9) Execute trust fund agreements for the accomplishment of work for others relating to real property owned by the Government, and other agreements necesssary for the protection of land rights obtained by the Government, except those involving power contracts;

(10) Issue purchase orders for procuring title services.

b. The Principal Appraiser may exercise the authority described in subparagraph a.(3) of this section.

c. The Assistant Chief, Branch of Land, the Principal Negotiator and the Principal Title Officer each may exercise the authority described in subparagraphs a. (2) and (4) of this section, and, when the amount involved does not exceed $1,500, the authority described in subparagraphs a. (1), (7), (8), and (9) of this section.

d. The Principal Title Officer may exercise the authority described in subparagraph a.(10) of this section when the amount of the purchase order does not exceed $1,500 and the Conveyances Examiner for title services may exercise similar authority when the amount of the purchase order does not exceed $100. (Secretary's Order No. 2840, 24 F.R. 3615; 205 DM 5.1; 205 DM 10, 28 F.R. 9884)

8. *Construction and clearing contracts.* a. The Assistant to the Chief Engineer (Construction) may execute contracts and amendments to contracts for construction or clearing.

b. The Chief, Branch of Construction, may authorize changes, extra work, or adjustments necessary because of changed conditions, and appropriate time extensions therefor, for transactions not exceeding $5,000 or 25 percent of the amount of the original contract, whichever is smaller. (205 DM 11.1, 26 F.R. 11748)

9. *Power sales, operations, and maintenance activities*—a. *Power management.* (1) The Assistant Administrator for Power Management (Power Manager) may execute any document and exercise any authority conferred upon the Director of Operations and Maintenance or Deputy Director of Operations and Maintenance (which positions no longer exist) under contracts executed prior to March 15, 1961.

(2) The Assistant Power Manager may compromise and finally settle any claim for charges arising under any contract for power delivered or transferred to or for a customer.

(3) The Chief, Branch of Power Operations, may:

(a) Execute agreements with customers for the operation or maintenance of their equipment installed on premises of the Administration or the customer;

(b) Execute agreements for the operation or maintenance by customers of equipment of the Administration;

(c) Execute agreements for the storage and release of energy;

(d) Make agreements with customers which establish capabilities of their generating facilities for the purpose of applying the computed demand provision of rate schedules;

(e) Execute agreements and make arrangements with customers and other persons for the performance of emergency repair service by or for the Administration when an outage or similar emergency requires the immediate performance of the service and the furnishing of materials. Such arrangements may involve purchase, hire, or loan of equipment, materials, and services deemed necessary to correct the outage or emergency.

(4) The Power Dispatchers of the Branch of Power Operations each may make emergency arrangements for the sale, purchase, exchange, or wheeling of

power including the charges applicable thereto, when an outage or similar emergency requires such action to prevent disruption of service or to restore interrupted service on the Administration's system or an interconnected system.

(5) The Chief, Branch of Customer Service, may make interim arrangements for the short term sale, purchase, exchange, or wheeling of power including the charges applicable thereto, such arrangements to be confirmed in writing and subsequently formalized by contracts executed by the Administrator or Deputy Administrator.

(6) The Head of Rates and Statistics may approve, in writing, a purchaser's resale rate schedules and any additions or modifications thereof, pursuant to a power contract providing therefor.

(7) The Chief, Branch of Power Marketing, may approve load estimates of customers for use in resale rate determinations and service planning.

b. *Area offices.* (1) The Area Managers, with respect to matters wholly within their respective areas, may:

(a) Exercise the authority described in subparagraphs a.(3) (a), (b), and (e); and subparagraph a.(5) of this section;

(b) Exercise the authority described in subparagraph a.(4) of this section when communication facilities are disrupted so that the Power Dispatchers of the Branch of Power Operations are unable to exercise the authority of said paragraph;

(c) Execute joint pole contact agreements.

(2) The Superintendents of Transmission Maintenance of the respective area offices each may, when the payment involved does not exceed $200, make arrangements and execute agreements with property owners or tenants for temporary access to Bonneville Power Administration rights-of-way. This authority may be exercised only when it is advantageous to the Government in terms of efficiency and economy to use such temporary access.

c. *Maintenance.* The Chief, Branch of Maintenance, may exercise the authority described in subparagraph a.(3) (e) of this section.

10. *Claims.* a. The Head of the Disbursement Audit Section may compromise and finally settle any claim arising under any contract (except power contracts) which the Administrator is authorized to settle under the Bonneville Project Act of August 20, 1937, 50 Stat. 731, as amended, 16 U.S.C. 832 to 8321 (1958).

b. (1) The Field Operations Officer may, when the amount involved does not exceed $500, exercise the authority of the Administrator under section 12(a) of the Bonneville Project Act of August 20, 1937, as amended, with respect to determining, settling, compromising, or paying claims of or against the Administration for damage to real or personal property.

(2) The Area Manager and the Field Contact Officer for the respective area offices each may exercise the authority described in subparagraph b.(1) of this section when the amount allowed does not exceed $200.

11. *Emergency procurement and hiring.* Administration personnel who have been issued valid "Disaster Authority" cards (Form BPA 83) are authorized on behalf of the United States to acquire materials, services, and equipment, and to employ, for periods of not to exceed 30 days, temporary personnel needed to maintain continuity of power service and operation of the Bonneville Power Administration transmission system in emergency situations caused by military attack, serious fire, flood, earthquake, or similar disaster. (Secretary's Order No. 2751, as amended)

12. *Materials and equipment contracts.* a. The Chief, Branch of Supply, may:

(1) Execute contracts, amendments to contracts, and procurement transactions for materials, equipment and services, including the exchange or sale of personal property for replacement purposes, except personal services and services in connection with the transfer or transmission of electrical energy;

(2) Execute contracts and amendments to contracts for the disposal of surplus property, except electric utility system real properties, for which the Administration is the authorized disposal agency under delegations heretofore or hereafter made pursuant to the provisions of the Federal Property and Administrative Services Act of 1949, 63 Stat. 378, as amended, 40 U.S.C. 471 to 492 (1958);

(3) Authorize the publication of advertisements, notices, or proposals, pursuant to section 3828 of the Revised Statutes, 16 Stat. 308, 44 U.S.C. 324 (1958).

b. The Head of the Procurement Section may exercise the authority delegated to the Chief, Branch of Supply, when the amount involved does not exceed $50,000.

c. The Purchasing Agents each may exercise the authority described in subparagraphs a.(1) and a.(3) of this section when the amount involved does not exceed $2,500.

d. The Head of the Inspection Section is designated the authorized representative of the contracting officer with regard to the inspection and expediting functions of the administration of materials and equipment contracts. As authorized representative, he may exercise the contracting officer's authority to approve changes in contract technical provisions with the consent of the designer or user as appropriate, direct extra work, increase or decrease quantities, and approve changes in delivery time in connection therewith, when the net increase or decrease in the contract amount does not exceed $500 in any one instance. (205 DM 5.1; 205 DM 9.3; 205 DM 9.4; 205 DM 10, 28 F.R. 9884; 205 DM 11.1, 26 F.R. 11748; 404 DM 1)

13. *Personnel—paid advertising for recruitment purposes.* The Chief, Branch of Personnel Management, may authorize paid advertising for recruiting for occupations that are in short supply, in accordance with the standards relative to paid advertising contained in the Federal Personnel Manual. (379 DM 8.9)

14–19. Reserved.

20–99 are not published in the FEDERAL REGISTER since they relate solely to internal management.

100. *Revocation.* These Redelegations supersede the Redelegations of Authority published in the FEDERAL REGISTER May 3, 1961 (26 F.R. 3823), as amended (26 F.R. 4460, 26 F.R. 7019, 26 F.R. 9520, 27 F.R. 2811, 27 F.R. 4565, 28 F.R. 1071, 28 F.R. 4144, 28 F.R. 8165, 28 F.R. 12229, and 29 F.R. 12519), and all other existing delegations issued by the Administrator inconsistent with these delegations. Such delegations are hereby revoked.

(Secretary's Order No. 2563, 15 F.R. 3193; Secretary's Order No. 2860, as amended, 27 F.R. 591, 28 F.R. 5273; Secretary's Order No. 2883, 29 F.R. 14081; 50 Stat. 731, as amended, 16 U.S.C. 832 to 8321 (1958). Additional authority is cited in parentheses following the sections affected.)

Dated: November 6, 1964.

CHARLES F. LUCE,
Administrator.

[F.R. Doc. 64–11604; Filed, Nov. 13, 1964; 8:46 a.m.]

Office of the Secretary

HOME OF FRANKLIN D. ROOSEVELT NATIONAL HISTORIC SITE

Order Adding Certain Lands

Whereas the home of Franklin D. Roosevelt, Town of Hyde Park, Dutchess County, State of New York, was designated a national historic site by order dated January 15, 1944, and the boundaries thereof extended by order of July 1, 1953; and

Whereas the act of October 7, 1964 (78 Stat. 1028), appropriated funds for the acquisition of a portion of the 144-acre historically significant Boreel tract adjoining this site as an addition thereto and for use in administering, preserving, and further interpreting the historic area:

Now, therefore, by virtue of and pursuant to the authority contained in the act of October 7, 1964, supra, and the act of August 21, 1935 (49 Stat. 666; 16 U.S.C., sec. 461, et seq.), the following described land, subject to valid existing rights, is hereby added to and made a part of the Home of Franklin D. Roosevelt National Historic Site:

All that certain piece or parcel of land situate in the Town of Hyde Park, County of Dutchess and State of New York, bounded and described as follows:

Commencing at the intersection of the westerly boundary of the Albany Post Road, Route 9, with the division line between the properties of The United States of America on the north and Bernard Kessler and Sidney Kessler on the south; thence westerly along said division line, N 75°15'00" W, 1294.63 feet to the point of beginning of the herein described parcel; thence southerly through said property of Bernard Kessler and Sidney Kessler, S 2°25'00" E, 167.14 feet, S 26°10'00" W, 141.00 feet, S 77°30'00" W. 18.50 feet, N 62°00'00" W, 104.00 feet, S 8°35'00" E, 170.00 feet, S 16°50'00" E, 98.00 feet, S 8°37'00" W,

97.00 feet, S 24°35'00" W, 188.00 feet, S 13°00'00" E, 30.00 feet, S 88°05'00" E, 52.00 feet, S 38°35'00" E, 42.00 feet, S 9°45'00" W, 128.00 feet, S 17°45'00" W, 130.00 feet, S 57°20'00" W, 42.00 feet, S 89°30'00" W., 37.00 feet, N 46°55'00" W, 106.00 feet, S 37°15'00" W, 16.00 feet, S 6°00'00" E, 158.00 feet, S 2°35'00" E, 225.00 feet, S 6°05'00" W, 194.00 feet, S 0°40'00" E, 79.00 feet, S 9°30'00" W, 179.00 feet, S 1°30'00" E, 75.00 feet, S 6°20'-00" E, 123.00 feet and S 8°05'00" W, 68.57 feet to a point on the division line between the properties of Bernard Kessler and Sidney Kessler on the north and Fred Hertlein and Elsie Hertlein on the south; thence westerly along said division line, N 75°14'55" W, 1098 feet, more or less, to its intersection with the original shore line of the Hudson River; thence northerly along said shore line, 1887 feet, more or less, to its intersection with the easterly boundary of the New York Central Railroad; thence northerly along said boundary, N 18°32'00" W, 633 feet, more or less, to its intersection with the original shore line of the Hudson River; thence northerly along said shore line, 870 feet, more or less, to its intersection with the aforesaid division line between the properties of The United States of America on the north and Bernard Kessler and Sidney Kessler on the south; thence easterly along said division line, S 83°08'20" E, 130 feet, more or less, S 81°33'40" E, 128.56 feet, S 77°18'50" E, 231.68 feet, S 75°44'10" E, 102.32 feet, S 79°55'10" E, 98.13 feet, S 75°31'00" E, 100.09 feet, S 72°51'10" E, 211.69 feet, S 77°03'40" E, 98.97 feet, S 78°25'40 E, 96.92 feet, S 75°31'50" E, 284.31 feet, S 75°-03'00" E, 120.97 feet, S 76°37'00" E, 290.78 feet and S 75°15'00" E, 750.05 feet to the point of beginning; being 94.0 acres, more or less.

The administration, protection, and development of the land hereinabove described, as a part of the national historic site, shall be exercised in accordance with the provisions of the act of August 21, 1935, supra.

Warning is expressly given to all unauthorized persons not to appropriate, injure, destroy, deface, or remove any feature of this addition to said national historic site.

In witness whereof, I have hereunto set my hand and caused the official seal of the Department of the Interior to be affixed, in the City of Washington, this 9th day of November 1964.

[SEAL] STEWART L. UDALL,
Secretary of the Interior.

[F.R. Doc. 64–11612; Filed, Nov. 13, 1964; 8:47 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S–177]

MOORE-McCORMACK LINES, INC.

Notice of Application and of Hearing

Notice is hereby given of the application of Moore-McCormack Lines, Inc., for written permission of the Maritime Administrator, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, to permit its owned vessel, the SS "Robin Mowbray," which is under an extended time charter to States Marine Lines, Inc., for a period of about three to five months from July 28, 1964, to load lumber and/or lumber products commencing about November 27, 1964, for carriage on one eastbound voyage from U.S. Pacific ports to U.S. Atlantic ports, with an intermediate stop at Long Beach, Calif., to load MSTS cargo and personnel destined for New Orleans, La.

This application may be inspected by interested parties in the Chief Hearing Examiner's Office, Maritime Subsidy Board/Maritime Administration, Room 3043, GAO Building, 441 G Street NW., Washington, D.C.

A hearing on the application has been set for Nov. 24, 1964, at 9:30 a.m. in Room 4519, General Accounting Office Building, 441 G Street NW., Washington 25, D.C. Any person, firm or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) must, before the close of business on November 23, 1964, notify the Secretary, Maritime Subsidy Board/Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in Rule 5(n) of the rules of practice and procedure, Maritime Subsidy Board/Maritime Administration, petitions for leave to intervene received after the close of business on November 23, 1964, will not be granted in this proceeding.

Dated: November 13, 1964.

By order of the Maritime Administrator.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64–11727; Filed, Nov. 13, 1964; 11:15 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 27–10]

NUCLEAR ENGINEERING CO., INC.

Notice of Amendment of Byproduct, Source and Special Nuclear Material License

Please take notice that the Atomic Energy Commission has issued Amendment No. 20 to License No. 4–3766–1 which amends the license to provide for the following:

1. Deletion of the requirement that there will be a maximum of 20 grams of special nuclear material in any single package.

2. Provides for an increase in the quantity which may be in any single package to 100 grams of Uranium 235 or 60 grams of Uranium 233 or 60 grams of Plutonium or a combination of these quantities so that the sum of the ratios of the quantity of each material to the quantities specified does not exceed unity.

3. Provides thta there shall be no more than 15 grams of any combination of Uranium 235, Uranium 233 or Plutonium per cubic foot of total volume in any single package.

4. Provides for relief from the requirement that each package containing special nuclear material be separated from any other package by a minimum of 8 inches of earth. The revised requirement is that there be 8 inches of earth between each "shipment" of special nuclear material. A "shipment" is defined as 500 grams of Uranium 235 or 300 grams of Uranium 233 or 300 grams of Plutonium or a combination of these quantities so that the sum of the ratios of the quantity of each material to the quantities specified does not exceed unity.

This amendment does not change the total quantity of special nuclear material which the licensee may possess at one time and involves only a change in the packaging requirements from those originally proposed by the licensee. This amendment provides only for an increase in the quantity of special nuclear material which may be in any single package and the quantity which may be buried without the need for earth shielding. There is no hazard since the quantity of special nuclear material involved is too low to achieve a critical mass.

The Commission has found that the application complies with the requirements of the Act and the Commission's regulations. The Commission has determined pursuant to the provisions of 10 CFR, Parts 2, 30, 40, and 70 that the issuance of the amendment is consistent with provisions of law, regulations and orders issued by the Commission. The Commission has determined that prior public notice of the proposed issuance of this amendment is not required since the amendment does not involve hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the provisions of the Commission's regulations (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the Commission will issue a notice of hearing or an appropriate order.

The text of the amendment is attached to this notice.

Dated at Bethesda, Md., November 5, 1964.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[License No. 4–3766–1; Amdt. No. 20]

License No. 4–3766–1 is amended as follows: Condition 1.C.(2) is amended to read:

1.C.(2)(a) 500 grams of Uranium 235, 300 grams of Uranium 233 and 300 grams of Plutonium provided that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity—at its facility near Beatty, Nev. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U 235}}{500}+\frac{\text{grams contained U 233}}{300}+\frac{\text{grams contained Pu}}{300}=1$$

(b) No single package shall contain more than 100 grams of Uranium 235 or 60 grams of Uranium 233 or 60 grams of Plutonium or any combination thereof such that the sum of the ratios of the quantity of each special nuclear material to the quantities specified herein does not exceed unity. Unity shall be determined by the following formula:

$$\frac{\text{grams contained U 235}}{100}+\frac{\text{grams contained U 233}}{60}+\frac{\text{grams contained Pu}}{60}=1$$

(c) No single package shall contain more than 15 grams of any combined Uranium 235, Uranium 233 and Plutonium per cubic foot of total volume.

Condition 15, is deleted.

Condition 23, is amended to read:

23. Special nuclear material placed in a burial trench shall be so spaced so that there is a minimum of 8 inches of earth separating each shipment. A shipment is defined as that quantity of special nuclear material specified in Condition 1.C.(2)(a) of this license.

Dated at Bethesda, Md., November 5, 1964.

For the Atomic Energy Commission.

LYALL JOHNSON,
Acting Director,
Division of Materials Licensing.

[F.R. Doc. 64-11613; Filed, Nov. 13, 1964; 8:47 a.m.]

[Docket No. 50-231]

SOUTHWEST ATOMIC ENERGY ASSOCIATES AND GENERAL ELECTRIC CO.

Notice of Application for Construction Permit and Utilization Facility License

Please take notice that the Southwest Atomic Energy Associates, Little Rock, Arkansas, and the General Electric Company, San Jose, California, have submitted jointly an application for construction permit and license to construct and operate at 20 megawatt (thermal) experimental fast-spectrum, sodium-cooled reactor under section 104.b. of the Atomic Energy Act of 1954, as amended. The proposed location for the reactor, designated by the applicants as the Southwest Experimental Fast Oxide Reactor (SEFOR), is on a 620 acre site in Washington County approximately 20 miles southwest of Fayetteville, Ark. A copy of the application is available for public inspection in the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

Date of issuance: November 3, 1964.

For the Atomic Energy Commission.

R. L. DOAN,
Director, Division of
Reactor Licensing.

[F.R. Doc. 64-11614; Filed, Nov. 13, 1964; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15529]

BAGGAGE LIABILITY RULES CASE

Notice of Postponement of Prehearing Conference

For the reasons given in a notice to all parties dated November 6, 1964, the prehearing conference in the above proceeding presently assigned to be held November 17, 1964, is hereby postponed until 10:00 a.m., e.s.t., November 24, 1964, in Room 1027, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before the undersigned examiner.

Dated at Washington, D.C., November 9, 1964.

[SEAL] MILTON H. SHAPIRO,
Hearing Examiner.

[F.R. Doc. 64-11641; Filed, Nov. 13, 1964; 8:49 a.m.]

[Docket No. 14560 etc.]

NEW BERN AND JACKSONVILLE-CAMP LEJEUNE SERVICE CASE

Notice of Hearing

Notice is given herewith, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held before the undersigned Examiner on December 8, 1964 at 10:00 a.m., e.s.t., in the Municipal Court Room, New Bern, N.C.

For information concerning the issues and other details in this proceeding, interested parties are referred to the Prehearing Conference Report served on October 14, 1964, and other documents which are on file in this proceeding in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., November 10, 1964.

[SEAL] RICHARD A. WALSH,
Hearing Examiner.

[F.R. Doc. 64-11642; Filed, Nov. 13, 1964; 8:49 a.m.]

[Docket No. 11908]

REOPENED TRANSATLANTIC CHARTER INVESTIGATION

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that oral argument in the above-entitled proceeding is assigned to be heard on December 2, 1964, at 10:00 a.m., e.s.t., in Room 1027, Universal Building, Florida and Connecticut Avenues NW., Washington, D.C., before the Board.

Dated at Washington, D.C., November 10, 1964.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 64-11643; Filed, Nov. 13, 1964; 8:49 a.m.]

[Docket No. 15348 etc.; Order E-21491]

VANCE ROBERTS AND VANCE INTERNATIONAL AIRWAYS, INC.

Supplemental Air Service Proceeding; Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 10th day of November 1964.

Application of Vance Roberts and Vance International Airways, Inc., Docket 15348, for authorization to transfer interim operating authority and for exemption from section 408 of the Federal Aviation Act of 1958, as amended; Supplemental Air Service Proceeding, Docket 13795 *et al.*

On June 22, 1964, Vance Roberts (Roberts) and Vance International Airways, Inc. (Corporation) filed an application seeking authorization to transfer Roberts' interim operating authority, including his exemption to engage in air taxi operations,[1] and the right to prosecute his pending applications for certificates of public convenience and necessity to Corporation, and for exemption from section 408 with respect to the acquisition by Corporation of the assets, business, and good will of Vance Roberts.[2]

In support of this application the applicants allege, inter alia, that Corporation is incorporated in the State of Washington with authorized capital stock of 50,000 shares; that all of the outstanding stock is held by Vance Roberts (501 shares) and by his wife (18 shares); that the reasons for the desired transfer are to improve prospects of attracting both investment and debt capital and to obtain tax benefits and remove the present personal liability of Roberts; that the proposed transfer would not affect the control or management of the carrier nor involve any substantive changes in its operations; and that Vance Roberts would control Corporation and serve as its chief executive officer.

No objections to the application have been received.

The Board, upon consideration of the application and all pertinent circumstances, has decided to approve the transfer to Corporation of Roberts' operating authority as a supplemental air carrier and exemption authority as an air taxi operator, grant Corporation an exemption pursuant to section 416(b) from the provisions of section 408 insofar as they would otherwise prevent the acquisition by Corporation of Roberts' air

[1] By Order E-19112, adopted December 19, 1962, Roberts was issued interim operating authority as a supplemental air carrier and was also exempted from Title IV of the Act and Part 298 to the extent necessary to permit him to operate air taxi services while holding interim supplemental authority. The interim authority was reissued by Order E-19873, adopted August 1, 1963. No transfer of this authority may be made without Board approval.

[2] Approval under sections 408 and/or 409 is also requested, if deemed necessary, with respect to the control by Roberts of both Corporation and Commando Air Service, Inc., (Commando) a company engaged in aircraft maintenance work. Control of Commando by Roberts was approved by Order E-15930, adopted October 18, 1960.

carrier assets, permit Corporation to prosecute Roberts' applications in the Supplemental Air Service Proceeding, and approve the common control by Roberts of Corporation and of Commando without a hearing pursuant to section 408(b).

As indicated above, the Board has heretofore granted Roberts, as a sole proprietor, authority to operate as a supplemental air carrier and also granted Roberts an exemption to simultaneously operate as an air taxi operator. The Board also approved Roberts' ownership and control of Commando. The proposed incorporation of Roberts' air carrier operations presents no fundamental change in the ownership and control of the air carrier. From the application it is patent that Roberts will continue to own, control and manage the air carrier and continue his common control of the air carrier and of Commando. The sole difference between the existing situation and the proposed corporate management is that in the former, the air carrier is a sole proprietorship, and in the latter, the air carrier is a corporation. In these circumstances we do not believe the proposed action will affect the control of an air carrier within the meaning of section 408(b). Roberts' incorporation of his air carrier operations may increase the strength thereof by facilitating the acquisition of additional capital, both equity capital and debt capital. Lastly, in view of Roberts' past and present operations as a supplemental air carrier, we think it clear that the air carrier operations involved here are limited within the meaning of section 416(b).[3]

Based on the foregoing, the Board finds that a transfer to Corporation of the supplemental air carrier authority and of the air taxi exemption authority is not adverse to the public interest, that the enforcement of the provisions of section 408 with respect to the acquisition by Corporation of Roberts' air carrier assets would be an undue burden on Corporation by reason of the limited extent of its operations and would not be in the public interest, that the proposed transaction with respect to Corporation's acquisition of such assets would not result in creating a monopoly or monopolies and thereby restrain competition or jeopardize another air carrier not a party to the transaction.

The Board tentatively finds that the proposed transaction with respect to the acquisition by Roberts of control of Corporation does not affect the control of an air carrier directly engaged in the operation of aircraft, does not result in creating a monopoly and does not tend to restrain competition. Interested persons may file comments to the common control by Roberts of Commando, a person engaged in a phase of aeronautics, and of Corporation, an air carrier. No person is requesting a hearing on the application herein.[4]

Pending the expiration of such opportunity, the Board will not implement its findings and conclusions made herein concerning the other aspects of this transaction and will defer issuance of its order thereon until action is taken on the common control issue. Moreover, the Board has determined that, in addition to the condition referred to in footnote 3, above, the transfer to Corporation of the supplemental air carrier interim operating authority and the reissuance to Corporation of the exemption which permits Roberts to engage in air taxi operations while holding authority as a supplemental air carrier will be conditioned upon the prior receipt of satisfactory proof that Corporation is ready to receive the supplemental air carrier interim operating authority and that all necessary corporate action has been completed with respect thereto.

Accordingly, it is ordered:

1. That interested persons may show cause within 15 days from the date of service of this order why the Board should not make final the tentative findings and conclusions herein and approve the common control by Roberts of Corporation and Commando;[5]

2. That the Attorney General be furnished a copy of this order within one day of its publication; and

3. That further action on the application in Docket 15348 be and it hereby is deferred until further order of the Board.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 64-11644; Filed, Nov. 13, 1964; 8:49 a.m.]

[3] Roberts' operations have been substantially below the minimum service requirements specified in § 208.25 of the Board's Economic Regulations. For example, in the second quarter of 1964, his supplemental air carrier operations totaled 75 revenue aircraft hours. The Board will make its approval of the proposed transfer of air carrier authority to Corporation subject to the condition that Roberts' failure to meet this requirement shall continue to be available as a basis for action to terminate the supplemental air carrier authority to the same extent as if the transfer of authority had not occurred.

[4] If approval is granted pursuant to section 408(b) with respect to the common control relationship, no action pursuant to section 409 will be necessary since the interlocking relationship would then fall under the general exemption of § 287.3 of the Board's Economic Regulations.

[5] Such filings shall conform with the general requirements of the Board's Rules of Practice in Economic Proceedings and shall be submitted to the Board's Docket Section. The Board will not separately entertain petitions requesting reconsideration of this order. All requests for relief from or modification of this order shall be submitted with such objections as may be made to the issuance of the order hereinabove proposed.

CIVIL SERVICE COMMISSION

LIST OF OFFICERS EXCLUDED FROM COVERAGE

Notice of Amendment of Exclusions From Annual and Sick Leave Act of 1951, as Amended

The "General" exclusion in the list of officers excluded from coverage under the Annual and Sick Leave Act of 1951, as amended, under authority of section 202(c)(1)(C) of that Act is amended because of salary changes resulting from the Government Employees Salary Reform Act of 1964. Effective November 1, 1964, the "General" exclusion is amended as set out below.

GENERAL

Any person appointed by the President, by and with the advice and consent of the Senate, or by the President alone (other than postmasters, United States Attorneys, and United States marshals) to a position in the executive branch for which there exists authority to set a rate of basic compensation in excess of the maximum rate provided in the General Schedule of the Classification Act of 1949, as amended.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 64-11625; Filed, Nov. 13, 1964; 8:49 a.m.]

LIST OF OFFICERS EXCLUDED FROM COVERAGE

Notice of Amendment of Exclusions From Annual and Sick Leave Act of 1951, as Amended

The list of officers excluded from coverage under the Annual and Sick Leave Act of 1951, as amended, under authority of section 202(c)(1)(C) of that Act is amended by adding the positions of Governor of Guam and Governor of the Virgin Islands to the exclusions under the Department of the Interior. Effective November 1, 1964, the list is amended as set out below.

DEPARTMENT OF THE INTERIOR

* * * * *

4. Governor of Guam.
5. Governor of the Virgin Islands.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 64-11626; Filed, Nov. 13, 1964; 8:49 a.m.]

LIST OF OFFICERS EXCLUDED FROM COVERAGE

Notice of Amendment of Exclusions From Annual and Sick Leave Act of 1951, as Amended

The list of officers excluded from coverage under the Annual and Sick Leave Act of 1951, as amended, under authority of section 202(c)(1)(C) of that Act is amended by adding the position of Commissioner, International Boundary and Water Commission, United States and Mexico, to the exclusions under the Department of State. Effective November 1, 1964, the list is amended as set out below.

DEPARTMENT OF STATE

* * * * *

2. Commissioner, International Boundary and Water Commission, United States and Mexico.

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 64–11627; Filed, Nov. 13, 1964; 8:49 a.m.]

DELAWARE RIVER BASIN COMMISSION

WATER SUPPLY POLICY

Notice of Hearing

Notice is hereby given that the Delaware River Basin Commission will hold a public hearing on November 25, 1964.

The subject of the hearing will be the proposal to amend the Comprehensive Plan by the addition thereto of a section XI—Water Supply Policy. The text of the proposed policy is shown below.

The hearing will be held in Room 1306 of the Pennsylvania State Office Building, Broad and Spring Garden Street in Philadelphia, beginning at 2:00 p.m. All persons or organizations desiring to testify at the hearing are requested to register in advance with the Secretary.

W. BRINTON WHITALL,
Secretary.

NOVEMBER 9, 1964.

SECTION XI—WATER SUPPLY POLICY

A. Major Federal Projects:

1. The Commission, acting for and on behalf of the signatory parties, will acquire the right to use and to control water supply facilities associated with federal projects authorized in the Comprehensive Plan.

2. The Commission, subject to appropriate authorization by the signatory parties, will assume the obligation to repay the non-federal share of the federal investment cost of such water supply facilities.

3. The Commission will meet future annual repayment obligations assumed by Policy Statement No. 2 above out of revenues provided as follows:

a. Revenues from sale of water, or other products and services;

b. An apportionment of costs through the capital section of the Commission's annual budgets to the states in which benefits of the projects occur.

4. The Commission will make appropriate reductions in the share of the cost of water apportioned to the states as revenues are received from direct sale of water or other products and services, and from various fees.

5. The Commission will identify the beneficiaries of its water supply facilities and will require them to bear their fair share of the costs thereof.

a. The Commission will determine the share of the costs allocable to beneficiaries, based upon criteria such as (1) amounts of storage in a reservoir; (2) releases from a reservoir; (3) the volume of increased withdrawals or diversions; (4) increased streamflow at (a) water intakes or (b) waste outfalls along a stream course for general improvement in conditions of water use, quality, and physical convenience.

b. The Commission will use the principles contained in the proportionate-use-of-facilities method of cost allocation for sharing non-federal costs among general beneficiaries of such water supply facilities.

[F.R. Doc. 64–11594; Filed, Nov. 13, 1964; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14878, 14879; FCC 64M–1114]

PRATTVILLE BROADCASTING CO. AND BILLY WALKER

Order Scheduling Hearing

In re applications of Ned N. Butler and Claude M. Gray, d/b as The Prattville Broadcasting Company, Prattville, Alabama, Docket No. 14878, File No. BP–14571; Billy Walker, Prattville, Alabama, Docket No. 14879, File No. BP–14729; for construction permits.

Pursuant to agreements reached at the prehearing conference of this date, the evidentiary hearing in the above-entitled proceeding will be held on Tuesday, December 8, 1964, beginning at 10:00 a.m., in the offices of the Commission, Washington, D.C.

It is so ordered, This the 5th day of November 1964.

Released: November 9, 1964.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64–11637; Filed, Nov. 13, 1964; 8:48 a.m.]

[Docket Nos. 15476, 15477; FCC 64M–1113]

WEZY, INC., AND WKKO RADIO, INC.

Order Continuing Hearing

In re applications of WEZY, Inc., Cocoa, Florida, Docket No. 15476, File No. BPH–4172; WKKO Radio, Inc., Cocoa, Florida, Docket No. 15477, File No. BPH–4173; for construction permits.

The Hearing Examiner having under consideration an informal written motion dated November 3, 1964, submitted by WEZY, Inc., requesting that the hearing in the above-entitled proceeding now scheduled to begin on Monday, November 9, 1964, be continued for a period of not less than 30 days; and

It appearing that an agreement has been entered into between the above-entitled applicants pursuant to which one of the applications is to be dismissed, and the other retained in hearing, and pleadings reflecting the intent of the parties are being prepared and will be filed this date; and

It further appearing that there are no objections to the immediate favorable consideration of the informal motion referred to, and good cause for granting the same having been shown;

It is ordered, This the 6th day of November 1964, that the informal motion for continuance of the evidentiary hearing is granted, and the evidentiary hearing now scheduled to begin on Monday, November 9, 1964, is continued to Monday, December 21, 1964.

Released: November 6, 1964.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64–11638; Filed, Nov. 13, 1964; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP65–61]

EL PASO NATURAL GAS CO.

Notice of Application

NOVEMBER 6, 1964.

Take notice that on September 1, 1964, El Paso Natural Gas Co. (Applicant), Post Office Box 1492, El Paso, Tex., 79999, filed in Docket No. CP65–61 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities and the sale and delivery of natural gas by means thereof and the sale and delivery of natural gas by means of certain of Applicant's existing facilities and certain facilities to be constructed and operated by Pacific Gas Transmission Co. (Pacific Gas), all as more fully set forth in the application on file with the Commission and open to public inspection.

Specifically, Applicant proposes the following:

(a) To sell and deliver natural gas to Intermountain Gas Company (Intermountain) for resale in the community of Aberdeen, Idaho, and surrounding irrigation areas. Applicant will utilize its existing Lamb-Weston Meter Station to make said sale. Intermountain will construct and operate distribution and connecting facilities at an estimated cost of $494,175.

(b) To construct and operate a measuring and regulating station adjacent to its existing 10¾-inch O.D. Northwest Division Eugene lateral pipeline and to sell and deliver natural gas to Northwest Natural Gas Co. (Northwest) for resale to the Coburg Veneer Co., near Coburg, Oreg. Northwest Natural will construct and operate connecting facilities at an estimated cost of $5,000.

(c) To construct and operate mainline taps on its 20-inch O.D. San Juan-Maricopa pipeline and on its 5-inch O.D. Yuma lateral pipeline and to sell and deliver natural gas to Arizona Public Service Co. (Public Service) for resale to Lone Butte Ranch, near Phoenix, Ariz., for irrigation use and to American Concrete and Pipe Co., Yuma County, Ariz.,

for industrial use. Public Service will construct and operate connecting facilities at an estimated cost of $36,154.

(d) To sell natural gas to California-Pacific Utilities Co. (California-Pacific) for resale to Winema Lumber Co., near Beaver Marsh, Oreg. Deliveries will be made out of gas transported by Pacific Gas for the account of Applicant. Applicant will pay for and Pacific Gas will construct, operate and own a measuring and regulating station necessary for the deliveries. California-Pacific will construct and operate connecting facilities at an estimated cost of $19,960.

The application shows the total third year estimated annual and maximum daily requirements for the herein proposed service to be 515,705 Mcf and 2,635 Mcf, respectively.

The total estimated cost of Applicant's proposed facilities, including the facilities to be constructed by Pacific Gas, is $17,400, which cost will be financed out of current working funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 30, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64–11599; Filed, Nov. 13, 1964; 8:45 a.m.]

[Docket No. CI64–25 etc.]

GULF OIL CORP. ET AL.

Findings and Order Granting Motion To Sever, Granting Request for Waiver of Intermediate Decision Procedure and Issuing Certificate of Public Convenience and Necessity

NOVEMBER 6, 1964.

Gulf Oil Corp., Docket No. CI64–25; Martha Featherstone, Docket No. CI64–591; W. S. Kilroy (Operator), Docket No. CI63–434; The Atlantic Refining Co., Docket No. CI63–576; Pan American Petroleum Corp., Docket No. CI61–419; Belco Petroleum Corp., Docket No. G–20104; Belco Petroleum Corp., Docket No. G–19591; Belco Petroleum Corp., Docket No. G–19589; Graham B. Morrison and Glen W. Pryor, Trustees, Docket No. G–18884.

On September 16, 1960, Pan American Petroleum Corp. (Pan American) filed in Docket No. CI61–419, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, for authority to sell natural gas to El Paso Natural Gas Co. (El Paso) from reserves located in Sublette County, Wyo., and to construct facilities necessary therefor, at a proposed initial price of 18.5 cents per Mcf at 860 p.s.i.g. (15.025 p.s.i.a.).

Temporary authorization to commence this sale was issued by letter order of October 21, 1960, containing a condition, among others, that the total initial price should not exceed 15 cents per Mcf at 14.65 p.s.i.a. (15.384 cents per Mcf at 15.025 p.s.i.a.).

By order issued July 29, 1964, the above-docketed proceedings were consolidated for hearing. The hearing in such proceedings commenced on that date and was concluded on October 8, 1964.

In the interim, on September 9, 1964, Pan American filed in Docket No. CI61–419 a motion for severance and for issuance of a certificate under the abridged hearing procedure, in which Pan American agreed to accept a permanent certificate for this sale in accordance with the initial price condition set out in the temporary authorization. Such motion was served on all parties to the proceedings and no objection to the grant of such motion has been filed.

Accordingly, we shall treat the motion filed by Pan American as a motion for severance and a request for waiver and omission of the intermediate decision procedure in Docket No. CI61–419.

The Commission finds:

(1) Docket No. CI61–419 should be disposed of pursuant to § 1.32 of the Commission's rules of practice and procedure (18 CFR 1.32).

(2) Pan American is a natural gas company within the meaning of the Natural Gas Act.

(3) The proposed sale of natural gas by Pan American is subject to the jurisdiction of the Commission, and such sale, together with the construction and operation of facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Act.

(4) Pan American is able and willing properly to do the acts and to perform the services proposed, and to conform to the provisions of the Natural Gas Act and the requirements, rules, and regulations of the Commission thereunder.

(5) The sale proposed by Pan American, together with the construction and operation of any facilities subject to the jurisdiction of the Commission and necessary therefor, are required by the public interest upon the conditions set forth below and a certificate should be issued as ordered below.

The Commission orders:

(A) Docket No. CI61–419 is hereby severed from Docket Nos. CI64–25, et al.

(B) The request for waiver and omission of the intermediate decision procedure is hereby granted.

(C) A certificate of public convenience and necessity is hereby issued to Pan American in Docket No. CI61–419 for the sale of natural gas in interstate commerce for resale as proposed in the application and specifically modified in the motion filed by Pan American (which we shall treat as an amendment to such application) and this order, and for the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, as more fully described in the application and motion submitted herein. The certificate issued by this paragraph is not transferable and shall be effective only so long as Pan American continues the acts or operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission and shall be accepted in writing and under oath within thirty days after the issuance of this order.

(D) The general terms and conditions set forth in paragraphs (a), (b), (c), and (e) of § 157.20 of the Commission's regulations under the Natural Gas Act, shall attach to the issuance of the certificate granted in paragraph (A) hereof and to the exercise of the rights granted thereunder.

(E) The certificate issued by paragraph (A) hereof is granted upon the express condition that the initial price for this sale shall not exceed 15.0 cents per Mcf at 14.65 p.s.i.a., or 15.384 cents per Mcf at 15.025 p.s.i.a., for all gas delivered at or in excess of 500 p.s.i.g.

(F) The grant of the certificate herein shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act, or of Part 154 of the Commission's rules and regulations thereunder, requiring the filing of rate schedules for the services herein authorized, and is without prejudice to any findings or orders which have been or may hereafter be instituted by or against the respective applicants. Further, our action in this proceeding shall not foreclose nor prejudice any future proceedings or objection relating to the operation of any price or related provisions in the gas purchase contracts herein involved.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64–11600; Filed, Nov. 13, 1964; 8:45 a.m.]

[Docket No. CP65–1]

NORTHERN NATURAL GAS CO.

Notice of Application

NOVEMBER 6, 1964.

Take notice that on July 1, 1964, Northern Natural Gas Co. (Applicant), 2223 Dodge Street, Omaha, Nebr., filed in Docket No. CP65–1 an application

pursuant to section 7(c) of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities in portions of Pecos, Reeves, Ward, and Winkler Counties, Tex., all as more fully set forth in the application, which is on file with the Commission and open to public inspection.

Specifically, Applicant proposes to construct and operate 42 miles of 24-inch pipeline, along with appropriate measuring facilities, for the purpose of attaching to its system a new gas supply from the Coyanosa Field, located in Pecos County, Tex. Applicant seeks further authorization to construct a 12-inch side valve on the proposed line which will enable it to make possible the future sale or exchange of natural gas with Transwestern Pipeline Company, whose line intersects that of Applicant.

The estimated cost of the facilities is $3,250,700, which will be financed with internally generated funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 28, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-11601; Filed, Nov. 13, 1964; 8:46 a.m.]

[Docket No. CP64-18]

PANHANDLE EASTERN PIPE LINE CO.

Notice of Application To Amend

NOVEMBER 6, 1964.

Take notice that on September 29, 1964, Panhandle Eastern Pipe Line Co. (Applicant), Post Office Box 1348, Kansas City 41, Mo., filed in Docket No. CP64-18 an application to further amend the Commission's order issued July 24, 1964, in said docket so as to authorize an upward revision in the summer contract demand of The Gas Service Company, an existing resale customer of Applicant, all as more fully set forth in the application to amend on file with the Commission and open to public inspection.

The order of July 24, 1964, modified and adopted the decision of the presiding examiner in Docket No. CP64-18, wherein Applicant was authorized to construct and operate certain facilities and to increase natural gas sales to certain of its present existing customers.

Applicant requests that the certificate order in Docket No. CP64-18 be further amended so as to increase the summer contract quantities to provide for contract demand of 2,100 Mcf of natural gas for the months of June, July, and August in lieu of 1,900, 1,700 and 1,700 Mcf, respectively, as presently authorized.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before November 27, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-11602; Filed, Nov. 13, 1964; 8:46 a.m.]

[Project No. 2459]

WEST PENN POWER CO.

Notice of Application for License

NOVEMBER 6, 1964.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by West Penn Power Co. (correspondence to: Benjamin Bennett, Secretary, West Penn Power Co., Cabin Hill, Greensburg, Pa.) for a license for constructed Project No. 2459, known as the Lake Lynn hydro development, located on Cheat River about 3½ miles upstream from its mouth, in Monongalia County, W. Va., and in Fayette County, Pa., 2½ miles southeast of Point Marion.

The Lake Lynn hydro development consists of: (1) A concrete gravity type dam 1,000 feet long with a maximum height of 125 feet; (2) a reservoir at full pool elevation 870 feet extending 13 miles upstream from the dam and having an area of 72,300 acre feet; (3) a 624-foot long spillway controlled by 26 tainter gates, each 17 feet high and 21 feet long with rubber seals; (4) eight penstocks of reinforced concrete, 12 feet by 18 feet; (5) a gate house; (6) a red brick and steel frame powerhouse containing four Francis reaction type turbines each connected to a 16,000 kva generator rated at 0.8 power factor total installed capacity 51,200 kw; (7) four 3-phase transformer banks; (8) switchyards; and (9) other appurtenant electrical and mechanical equipment.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is December 21, 1964. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-11603; Filed, Nov. 13, 1964; 8:46 a.m.]

FOREIGN-TRADE ZONES BOARD

FOREIGN-TRADE SUB-ZONE AT TAFT, LOUISIANA

Application; Notice of Hearing

Notice is hereby given that an application has been made to the Foreign-Trade Zones Board by the Board of Commissioners of the Port of New Orleans, grantee of Foreign-Trade Zone No. 2, New Orleans, La., for the privilege of establishing, operating, and maintaining a foreign-trade subzone at Taft, La., within Customs Collection District No. 20 of the United States, pursuant to the provisions of the Foreign-Trade Zones Act of June 18, 1934, as amended (48 Stat. 998-1003; 19 U.S.C. 81a-81u).

The Executive Secretary of the Foreign-Trade Zones Board, pursuant to Board Regulations,[1] has designated Theodore L. Thau, Executive Secretary, Advisory Committee on Export Policy, U.S. Department of Commerce, as Examiner to investigate the application and accompanying exhibits for compliance with Sections 400.600-400.608 of said Regulations; and said application having been found to be in order, the Executive Secretary has designated as an Examiners Committee said Theodore L. Thau, Chairman; Honorable Raymond F. Hufft, Collector of Customs, New Orleans, La.; and Colonel Thomas J. Bowen, District Engineer, U.S. Army Engineer District, New Orleans, La., in whose districts the proposed subzone is to be located, to investigate thoroughly the application and report thereon to the Foreign-Trade Zones Board.

Notice is hereby given, pursuant to the Foreign-Trade Zones Act and Board Regulations,[1] that a public hearing on the application will be held by the Examiners Committee beginning at 10:00 a.m., December 14, 1964, at the Main Conference Room, New Federal Building, 701 Loyola Street, New Orleans, La.

A general description of the proposed subzone and maps will be available for public information at the office of the Collector of Customs, Room 232, Customhouse, 423 Canal Street, New Orleans, La.; the U.S. Department of Commerce Field Office, Federal Building South, 610 South Street, New Orleans, La.; and at the office of the Executive Secretary of the Foreign-Trade Zones Board, Room 6827, U.S. Department of Commerce, Washington, D.C. In accordance with Board Regulations, other information concerning the application may be made public if the Board is satisfied of the public necessity or desirability therefor, or the applicant consents.

[1] See Title 15, Code of Federal Regulations, Part 400, Article 13, Rules of Procedure and Practice.

In brief these plans propose that: the subzone will be located on a 79-acre tract on the west bank of the Mississippi River about 25 miles upstream from New Orleans at Taft in St. Charles Parish, La. The site is made available through a lease arrangement between the Board of Commissioners of the Port of New Orleans and the Union Carbide Corp. where this company proposes to erect and operate a petrochemical production facility in a foreign-trade zone area utilizing as raw material liquid hydrocarbon feedstocks of both domestic and foreign origin. Such raw materials would be processed into basic chemical products within the subzone and then either entered into U.S. customs territory for consumption, or reexported, or consumed within the subzone.

The purposes of the hearing are to inform interested parties concerning this application, to afford them an opportunity to express their views relative thereto, and to obtain other data useful to the Examiners Committee.

Interested parties or their representatives will be afforded the opportunity to be heard at the hearing; however, for the accuracy of the record and to facilitate proceedings, they should file written request therefor as soon as possible and provide a written summary of their views regarding the application. Prior to December 10, 1964, requests to be heard and written summaries should be directed to Mr. Theodore L. Thau, Chairman of the Examiners Committee, c/o Executive Secretary, Foreign-Trade Zones Board, Room 6827, U.S. Department of Commerce, Washington, D.C., 20230; subsequent to that date and prior to December 14, such requests and summaries to the Chairman of the Examiners Committee should be directed to Mr. Thau, c/o The Collector of Customs, Room 232 Customhouse, 423 Canal Street, New Orleans, La., 70130.

Persons not submitting an advance request to be heard may, nevertheless, be permitted to be heard at the hearing at the discretion of the Examiners Committee. Interested parties not able to be present or represented at the hearing may submit their written views concerning the application to the Examiners Committee as indicated above.

RICHARD H. LAKE,
Executive Secretary,
Foreign-Trade Zones Board.

NOVEMBER 10, 1964.

[F.R. Doc. 64-11646; Filed, Nov. 13, 1964; 8:49 a.m.]

GENERAL SERVICES ADMINISTRATION

[Federal Property Management Regulation (Temporary) No. H-1]

SALE OF PERSONAL PROPERTY BY THE GENERAL SERVICES ADMINISTRATION

1. *Purpose.* These regulations provide for sale by the General Services Administration of personal property under the control of executive agencies, including surplus, contractor inventory, and that property designated to be sold for replacement under Section 201(c) of the Federal Property and Administrative Services Act of 1949, 63 Stat. 384.

2. *Background.* Pursuant to the authority contained in the Federal Property and Administrative Services Act of 1949, 63 Stat. 377, as amended (hereinafter referred to as the Act), the Administrator authorized all holding agencies to sell their personal property subject to policies and procedures as prescribed by the Administrator and set forth in GSA Reg. 1. This created a multiplicity of agency selling points, with attendant difficulties in the dissemination of information to the buying public and other interested persons and groups. In the case of the civil agencies, a widespread sales program necessarily has been carried on, although involving only a limited volume of property by any one agency. As announced in GSA Circular No. 231, dated February 15, 1961, GSA has been progessively assuming responsibility for the sale of civil agencies' property. These regulations extend the consolidated selling concept to all executive agencies.

3. *Action.*

a. *Applicability.* The provisions of these regulations apply to all agencies in the executive branch of the Federal Government having personal property becoming available for sale at locations within the United States, the Commonwealth of Puerto Rico, and the Virgin Islands. Other Federal agencies may participate in the GSA personal property sales program and are urged to do so.

b. *Responsibilities.* Responsibilities of the GSA regional offices and holding agencies regarding personal property available for sale are as follows:

(1) GSA regional offices will be responsible for:

(a) Conducting sales with a minimum of inconvenience to holding agencies;

(b) Performing all aspects of sales preparation including advertising, collection, documentation, deposit of proceeds, and contract administration;

(c) Programing property for sale as promptly as possible and from existing locations insofar as is practicable;

(d) Providing for consolidated sales with a minimum movement of property when it is determined to be advantageous and economical to the Government;

(e) Accepting physical custody of property when transported by holding agencies to a consolidated sales site as may be provided by GSA;

(f) Keeping holding agencies apprised of sales plans and requesting administrative, clerical, or labor assistance only when essential and such assistance is readily available; and

(g) Handling routine correspondence in connection with personal property sales.

(2) Holding agencies will be responsible for:

(a) Providing pertinent information required for effective sales of property as well as accounting data for appropriate application of gross proceeds;

(b) Transporting property to a consolidated sales site when mutually determined as being advantageous to the Government;

(c) Facilitating inspection of property by prospective bidders;

(d) Providing facilities if necessary and available for the conduct of sales and reasonable administrative, clerical, or labor assistance when requested by the GSA regional offices; and

(e) Assisting in the physical lotting of property to be sold as required by the GSA regional offices.

c. *Reporting property for sale.* Property shall be reported to the appropriate GSA regional office for the region in which the property is located in the manner outlined below:

(1) *Reportable property.* Property required to be reported for utilization screening will continue to be reported on Standard Form 120, Report of Excess Personal Property, and Standard Form 120A, Continuation Sheet. If not transferred or donated, such property will be programed for sale by the GSA regional office.

(2) *Nonreportable property.* Property not required to be reported for utilization screening and for which any required donation screening has been completed, shall be reported for sale on GSA Form 1673, Memorandum of Nonreportable Personal Property (Attachment A), or in accordance with such other local arrangements as may be made by a reporting activity and the regional office. Stocks of GSA Form 1673 may be requisitioned from GSA regional offices in the usual manner.

d. *Describing property.* Some prospective purchasers are unable to inspect property prior to submitting a bid. Therefore, in the interest of good business practice, property reported for sale shall be described in commercial terminology and as fully and accurately as possible, including its condition.

e. *Display and inspection.* Holding agencies shall assist prospective bidders to the maximum extent possible during the inspection period prescribed in the sales offerings. However, no information shall be provided to a prospective bidder which is not available to all bidders.

f. *Delivery.* After full payment has been received from a buyer, the GSA regional office will notify the holding activity by copy of the GSA Form 27, Notice of Award (Attachment B), that property may be released to the purchaser. Upon completion of a sale, holding agencies will be provided additional copies of the GSA Form 27 for use as an internal accounting document. If a purchaser fails to remove property within the period specified, the GSA regional office shall be advised of this fact immediately in order that appropriate action may be taken.

g. *Proceeds from sales.* Section 201(c) of the Act authorizes any executive agency to apply the proceeds from sale of exchange/sale property in whole or in part payment for similar items acquired

for replacement purposes. Section 204 (a) of the Act requires, except in certain specified instances, that proceeds from sale of surplus personal property shall be covered into the Treasury as miscellaneous receipts. The exceptions are where property sold was originally acquired by funds not appropriated from the general fund of the Treasury, or appropriated therefrom and by law reimbursable from assessments, taxes, or other revenues; and where any contract entered into by any executive agency or any subcontract under such contract authorizes the proceeds of any sale of contractor inventory to be credited to the price or cost of the work covered by such contract or subcontract. In these cases, the gross proceeds from the sale of such property will be deposited by GSA to the reimbursable fund or appropriation or paid to the Federal agency accountable for the property. In all other cases, the gross proceeds from the sale of property will be deposited by GSA to the Treasury as miscellaneous receipts. Therefore, it is essential that the Standard Form 120 or GSA Form 1673 be properly completed to identify the appropriate appropriation or fund symbol, title, and station deposit symbol, or other manner in which payment is desired.

h. *Exemptions.* The sale of property in accordance with the provisions of these regulations has been determined to be advantageous to the Government in terms of economy, efficiency, and service, with due regard to the program activities of the agencies concerned. Any agency head who believes that authority with respect to the programs covered by section 602(d) of the Act would be impaired or adversely affected by this regulation, may seek an exemption from the Administrator by a letter explaining the impairment or adverse effect and justifying the exemption. In addition, GSA regional offices, after consultation with a holding activity, may, on a case-by-case or blanket basis, authorize sale by such holding activity of perishable items or small lots of limited value property at isolated locations. In such cases, Optional Form 15, poster, Sale of Government Property (Attachment C), and Optional Form 16, Sales Slip, Sale of Government Personal Property (Attachment D), are prescribed for use by holding activities for the sale of such property. These forms may be requisitioned from the GSA regional offices in the usual manner.

4. *Effect on other issuances.* This regulation modifies GSA Reg. 1–II and IV to the extent such regulations authorize executive agencies (holding agencies) to conduct sales of their personal property. GSA Circulars No. 124 of April 23, 1956, Subject: Preparation of Wastepaper Contracts; No. 226, Revised, of October 30, 1962, Subject: Sales of Government Personal Property; No. 231 of February 15, 1961, Subject: Integrated Personal Property Sales Program for Civil Agencies; and Memorandums of Understanding between GSA and the agencies listed below are rescinded by this regulation.

Agency:	Date
Department of Commerce	Dec. 29, 1960
Federal Aviation Agency	Jan. 13, 1961
Department of Health, Education, and Welfare	Jan. 23, 1961
Housing and Home Finance Agency	Dec. 21, 1960
Department of Justice	Jan. 18, 1961
Veterans Administration	Dec. 28, 1960
Post Office Department	Dec. 27, 1960
National Aeronautics and Space Administration	May 22, 1961
Department of the Interior	Aug. 31, 1961
Department of the Treasury	Oct. 6, 1961

5. *Effective date.* These regulations are effective January 1, 1965, except for the Tennessee Valley Authority, Department of Agriculture, Atomic Energy Commission, and the Department of Defense. The effective date for Tennessee Valley Authority, Department of Agriculture, and Atomic Energy Commission will be March 1, 1965. An agreement between the Department of Defense and the General Services Administration for assumption by GSA of sales responsibility for personal property belonging to that Department is pending before the Bureau of the Budget. Applicability of this regulation to the Department of Defense will be held in abeyance pending approval by the Bureau of the Budget of financing arrangements necessary for effectuating such assumption. All executive agencies are requested to submit two copies of implementing instructions to the Administrator by no later than sixty days from the effective date of this regulation.

6. *Expiration date.* These regulations shall remain in effect until incorporated in 41 CFR 101–45, which shall be no later than 90 days from the date of signature.

NOTE: Forms filed as part of the original document. Copies may be obtained from Central Office, GSA.

Dated: November 5, 1964.

BERNARD L. BOUTIN,
Administrator.

[F.R. Doc. 64–11689; Filed, Nov. 13, 1964; 8:49 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812–1729 etc.]

AMERICAN & FOREIGN POWER CO., INC., AND ELECTRIC BOND AND SHARE CO.

Notice of and Order for Hearing on Application for Order Declaring Company Is Not an Investment Company and Order Consolidating Proceeding With Prior Proceeding

NOVEMBER 9, 1964.

In the matter of American & Foreign Power Company Inc., 100 Church Street, New York, New York, 10007, File No. 812–1729; and in the matter of Electric Bond and Share Company, Two Rector Street, New York, New York, 10006, File No. 811–1022, File No. 31–627.

Notice is hereby given that American & Foreign Power Co. Inc. ("Foreign Power"), a company exempted as a holding company from the provisions of the Public Utility Holding Company Act of 1935, has filed an application (File No. 812–1729) pursuant to section 3(b)(2) of the Investment Company Act of 1940 ("Act"), for an order (a) declaring that Foreign Power is primarily engaged directly or through majority owned subsidiaries in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities; or (b) pursuant to section 6(c) of the Act, exempting Foreign Power from the provisions of the Act. All interested persons are referred to the application on file with the Commission for a complete statement of the representations therein, which are summarized below.

Foreign Power, a Maine corporation, was organized in 1923 by Electric Bond and Share Co. ("Bond and Share") as a holding company for public utility subsidiaries operating outside the United States. Foreign Power is a majority owned subsidiary of Bond and Share, which is a registered closed-end investment company. Following various corporate simplification proceedings instituted under the Public Utility Holding Company Act of 1935, Foreign Power, as a holding company, and its subsidiary companies, as such, were exempted from the provisions of that Act. (Holding Company Act Release No. 12196, November 2, 1953.)

Between 1923 and 1930 Foreign Power acquired public utility subsidiaries in Argentina, Brazil, Chile, China, Colombia, Costa Rica, Cuba, Ecuador, Guatemala, India, Mexico, Panama, and Venezuela. The properties in China were confiscated by the Japanese in 1941, were recovered following World War II, but were seized by the Chinese Communist Government in 1950. The properties in India were sold to private interests in 1947. Since 1950 Foreign Power's operations have been restricted to the abovenamed countries of Latin America. The properties of the subsidiary serving Cuba were expropriated without compensation by the Castro Government in 1960. Since January 1943 Ebasco International Corporation, a wholly owned subsidiary of Foreign Power, has rendered engineering and consulting services to Foreign Power's public utility subsidiaries.

Between 1958 and 1962, the utility properties of Foreign Power's subsidiaries in Argentina, Mexico and Colombia were sold to the governments of those countries. In exchange, Foreign Power received interest-bearing notes of the respective governments payable in United States dollars in serial maturities over periods of 15 to 20 years and, in the case of Argentina and Mexico, the installments, as received, are required to be invested in situations beneficial to the economic development of those countries. In February 1964, Foreign Power sold for cash its Venezuelan subsidiary to a private utility company in that country.

After lengthy negotiations a contract was initialed on August 25, 1964, by Foreign Power and Centrais Electricas Brasileiras, S.A. ("Eletrobras"), a Brazilian Government power agency, providing for the sale of all of Foreign Power's direct and indirect holdings in its utility subsidiaries in Brazil to Eletrobras. On October 6, 1964, the Brazilian Congress enacted legislation authorizing the Brazilian Government to guarantee the obligations of Eletrobras under the contract as well as the promissory notes to be issued in payment for Foreign Power's interests. Foreign Power anticipates that the contract will be signed in early November and promptly thereafter will be submitted to the Brazilian Tribunal de Contas for registration, at which time it will become effective.

The contract provides for a purchase price of $135,000,000 plus certain compensatory adjustments. On or prior to the closing date there will be a down payment of $10,000,000 on the purchase price, and at the closing date Eletrobras will issue two initial notes, one for $24,750,000 and the other for $100,250,000. Within 180 days after the closing date, in lieu of the initial notes, definitive notes will be issued (a) in the amount of $24,750,000, at 6 percent interest, payable semi-annually over 22 years commencing January 1, 1968; (b) and in the amount of $100,250,000, at 6½ percent interest, payable semi-annually from July 1, 1968 to July 1, 2009. The proceeds from the 6½ percent notes are required to be reinvested, upon receipt, in 6½ percent notes of Eletrobas, maturing semi-annually over a period of 20 years from time of investment.

The table below sets forth a summary of Foreign Power's assets (exclusive of cash and cash items) as of June 30, 1964, on the basis of the values assigned to them by Foreign Power. Such assets reflect the proposed sale of Foreign Power's interests in its Brazilian subsidiaries, and they do not reflect any interest in its Cuban subsidiary.

	Percent voting securities of subsidiaries owned	Amount (000 omitted)	Percent
Securities of majority owned utility subsidiaries: [1]			
South American Power Co. (Chile)	100	$85,979	19.8
Cia. Nacional de Fuerza y Luz, S.A. (Costa Rica)	92	8,679	2.0
Empresa Electrica del Ecuador, Inc	100	13,547	3.1
Empresa Electrica de Guatemala, S.A	93	21,028	4.8
Panama Power & Light Co	89	13,800	3.2
Ebasco International Corp	100	682	0.2
Total utility subsidiaries		143,715	33.1
Securities of wholly owned subsidiaries holding Latin American Government notes and other investment securities:			
Amercon Enterprises Ltd. (Mexico)	100	50,494	11.6
Argentine Electric Companies	100	48,018	11.0
Brazilian Electric Power Co	100	75,232	17.3
Colombian Electric Co	100	20,827	4.8
Total subsidiaries holding notes		194,571	44.7
Direct holdings by Foreign Power of Latin American Government notes:			
Brazil		71,919	16.5
Mexico		9,966	2.3
Colombia		6,840	1.6
Total notes		88,725	20.4
Miscellaneous assets		7,676	1.8
Total		434,687	100.0

[1] Including Ebasco International Corp. which renders engineering and consulting services to Foreign Power and its subsidiaries.

The securities of Foreign Power's majority owned and wholly owned subsidiaries were valued by Foreign Power at their underlying book values, which reflect the holdings of notes of Latin American governments at their principal amount. Foreign Power's direct holdings of notes of Latin American governments were also valued at their principal amount.

On the basis of the above table, Foreign Power's holdings of securities of majority owned utility subsidiaries represented 33.1 percent of the value of Foreign Power's total assets (exclusive of cash and cash items), and its holdings of Latin American government notes and of securities of wholly owned subsidiaries which hold Latin American government notes and other investments represented 65.1 percent of such total assets.

The application states that, giving effect to income from the Brazilian notes and the Colombian notes on a full year basis, Foreign Power's net equity in the income of its utility subsidiaries (based on the year 1963) would amount to 39 percent, and interest income from notes of Latin American governments would amount to 61 percent, of total net equity of Foreign Power in income from all sources.

Foreign Power asserts that it is not an investment company as defined in sections 3(a)(1) and 3(a)(3) of the Act. It states that it is not engaged and does not hold itself out as being engaged primarily in the business of investing, reinvesting, owning, holding or trading in securities within the meaning and intent of the Act. It asserts that its principal business activity continues to be public utility operations in Latin America. Foreign Power further asserts that it is in a state of partial transition, transforming its investments in certain unprofitable electric utility properties into substantial interests in industrial properties.

The application further states that the bulk of the foreign government notes presently held by Foreign Power are subject to such restrictions upon the use of their proceeds that they are not liquid or readily negotiable securities and that, consequently, they are not the type of security which the Act was intended to regulate.

It appears to the Commission that it is appropriate in the public interest and the interest of investors that a hearing be held with respect to the application.

The Commission has been advised by the Division of Corporate Regulation that on the basis of financial statements as of March 31, 1964, submitted by Bond and Share, the common stock of Foreign Power constituted 21.6 percent of the value of the total assets of Bond and Share (exclusive of cash and cash items) and that an additional 42.2 percent of the value of such total assets was composed of investment securities on that date. A determination that Foreign Power is an investment company not exempt from the provisions of the Act would result in 63.8 percent of Bond and Share's total assets consisting of investment securities and would preclude a finding by the Commission, pursuant to Bond and Share's application under section 3(b)(2) of the Act (File Nos. 811–1022 and 31–627), that Bond and Share is not an investment company.

It appearing to the Commission that common issues of law and fact with respect to the proceeding on Foreign Power's application to be exempted from the Act (File No. 812–1729) and the proceeding on the application of Bond and Share to be declared not to be an investment company (File Nos. 811–1022 and 31–627) are presented or may arise under the applicable provisions of the Investment Company Act making it appropriate that the two proceedings be consolidated:

It is hereby ordered, That:

(a) Pursuant to section 40(a) of the Investment Company Act a hearing be held upon the application of Foreign Power under the applicable provisions of that Act and the rules promulgated thereunder.

(b) The proceeding on the application of Foreign Power under sections 3(b)(2) and 6(c) of the Investment Company Act and the proceeding on the application of Bond and Share under sections 3(b)(2) and 8(f) of the Investment Company Act be, and they hereby are, consolidated, without prejudice, however, to the Commission's right, upon its own motion or application, to sever such proceedings or any issues therein for hearing or determination.

It is further ordered, That a hearing in the consolidated proceeding be held on the 23d day of November 1964, at 11:00 a.m., at the office of the Commission, 425 Second Street NW., Washington, D.C. Any person desiring to be heard in connection with the consolidated proceeding or proposing to intervene therein shall file with the Secretary of the Commission, Washington, D.C., 20549, on or before the 19th day of November

1964, a written request as prescribed by Rule 9 of the Commission's rules of practice. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address noted above, and proof of service (by affidavit or, in case of an attorney-at-law, by certificate) filed contemporaneously with such request.

It is further ordered, That Samuel Binder, or any officer or officers of the Commission designated by it for that purpose, shall preside at said hearing. The officer so designated is hereby authorized to exercise all the powers granted to the Commission under sections 41 and 42(b) of the Investment Company Act, section 18(c) of the Holding Company Act, and to a hearing officer under the Commission's rules of practice.

The Division of Corporate Regulation having advised the Commission that it has made a preliminary examination of the application and that upon the basis thereof the following matters and questions are presented for consideration, in addition to the matters and questions already presented for consideration in the proceeding on the application of Bond and Share, without prejudice to its specifying additional matters and questions upon further examination:

(1) Whether Foreign Power is an investment company within the meaning of section 3(a)(1) or section 3(a)(3) of the Act;

(2) Whether Foreign Power is primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities either directly or (A) through majority owned subsidiaries or (B) through controlled companies conducting similar types of businesses;

(3) Whether (a) it is necessary or appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the Act to exempt Foreign Power from all or any provision or provisions of the Act or of any rule or regulation thereunder; and (b) if so, what conditions, if any, in the public interest and for the protection of investors should be imposed.

It is further ordered, That at the aforesaid hearing attention be given to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall give notice of the aforesaid hearing by mailing copies of this notice and order by registered mail to Foreign Power and to Bond and Share, and that notice to all persons shall be given by publication of this notice and order in the FEDERAL REGISTER; and that a general release of this Commission in respect of this notice and order be distributed to the press and mailed to the mailing list for releases.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 64-11598; Filed, Nov. 13, 1964; 8:45 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority No. 30-XII-SF]

SAN FRANCISCO, CALIFORNIA BRANCH OFFICE

Delegation of Authority To Conduct Program Activities

I. Pursuant to the authority delegated to the Branch Manager by Delegation of Authority No. 30-XII, 29 F.R. 12497, as amended, 29 F.R. 12859 and 15063, the following authority is hereby redelegated to the specific positions as indicated herein:

A. Chief, Financial Assistance Section (and Assistant Chief, if assigned):

1. To approve the following:

a. Direct loans not exceeding $100,000.

b. Participation loans not exceeding $250,000.

c. Simplified bank participation loans not exceeding $350,000.

d. Simplified early maturities participation loans not exceeding $350,000.

e. Direct disaster loans not exceeding $350,000.

f. Participating disaster loans not exceeding $350,000.

2. To decline as follows:

a. Business loans not exceeding $250,000.

b. Disaster loans in any amount.

3. To disburse unsecured disaster loans.

4. To enter into business loan and disaster loan participation agreements with banks.

5. To execute loan authorizations for Washington approved loans and for loans approved under delegated authority, said execution to read as follows:

(Name), Administrator
By ----------
(Name)
(Title of person signing)

6. To cancel, reinstate, modify, and amend authorizations for business or disaster loans.

7. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

8. To approve, when requested, in advance of disbursement, conformed copies of notes and other closing documents; and certify to the participating bank that such documents are in compliance with the participation authorization.

9. To approve service charges by participating bank not to exceed 2 percent per annum on the outstanding balance on construction loans and loans involving accounts receivable and inventory financing.

10. To take all necessary action in connection with the administration, servicing and collection of all loans and to do and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including without limiting the generality of the foregoing:

a. The assignment, endorsement, transfer, and delivery (but in all cases without representation, recourse or warranty) of notes, claims, bonds, debentures, morgages, deeds of trust, contracts, patents and applications therefor, licenses, certificates of stock and of deposit, and any other liens, powers, rights, charges on and interest in or to property of any kind, legal and equitable, now or hereafter held by the Small Business Administration or its Administrator.

b. The execution and delivery of contracts of sale or of lease or sublease, quitclaim, bargain and sale or special warranty deeds, bills of sale, leases, subleases, assignments, subordinations, releases (in whole or in part) of liens, satisfaction pieces, affidavits, proofs of claim in bankruptcy or other estates and such other instruments in writing as may be appropriate and necessary to effectuate the foregoing.

c. The approval of bank applications for use of liquidity privileges under the loan guaranty plan.

11. Size determinations for financial assistance only.

12. Eligibility determinations for financial assistance only.

B. Branch Administrative Assistant:

1. To (a) make emergency purchases chargeable to the administrative expense fund, not in excess of $25 in any one object class in any one instance but not more than $50 in any one month for total purchases in all object classes; (b) make purchases not in excess of $10 in any one instance for "one-time use items" not carried in stock subject to the total limitations set forth in (a) of this paragraph; (c) to contract for the repair and maintenance of equipment and furnishings in an amount not to exceed $25 in any one instance; and (d) to purchase printing from the General Services Administration where centralized reproduction facilities have been established by GSA.

2. In connection with the establishment of Disaster Loan offices, to (a) obligate Small Business Administration to reimburse General Services Administration for rental of office space; (b) rent office equipment; (c) rent motor vehicles commercially when not available from General Services Administration; (d) procure (without dollar limitation) emergency supplies and materials.

3. To rent motor vehicles from the General Services Administration and to rent garage space for the storage of such vehicles when not furnished by this Administration.

II. The authority delegated herein cannot be redelegated.

III. The authority delegated herein to a specific position may be exercised by any SBA employee designated as Acting in that position.

Effective date: September 14, 1964.

MARTIN SEAVER,
Acting Branch Manager,
San Francisco Branch Office.

[F.R. Doc. 64-11595; Filed, Nov. 13, 1964; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[I.C.C. S.O. No. 947; Rev. Taylor's Car Distribution Order No. 11]

LEHIGH VALLEY RAILROAD CO., AND NORFOLK AND WESTERN RAILWAY CO.

Shortage of Freight Cars

Pursuant to section 1 (15) and (17) of the Interstate Commerce Act and authority vested in me by paragraph (5) (b) of Interstate Commerce Commission Service Order No. 947 (28 F.R. 12127, 29 F.R. 6014, and 29 F.R. 9670).

I find that there continues to exist a shortage of freight cars in certain areas because of inequitable distribution and, because of such emergency, notice and public procedure on this order would be impracticable and contrary to the public interest, and this order shall be made effective upon less than 30 days' notice.

Therefore, it is ordered, That:

(a) The Lehigh Valley Railroad Co. shall deliver to the Norfolk and Western Railway Co. a daily average of 40 plain serviceable boxcars inside length less than 44'8".

(b) Cars received by the Norfolk and Western Railway Co. under this order will be delivered to the Soo Line Railroad Co.

It is further ordered, That the Lehigh Valley Railroad Co. shall prepare empty car cards, tickets or movement slips for all cars delivered to the Norfolk and Western Railway Co. Such cards, tickets or slips to accompany cars and be delivered with cars to the Soo Line Railroad Co.

(c) Effective date: This order shall become effective at 12:01 a.m. November 11, 1964.

(d) Expiration date: This order shall expire at 11:59 p.m. November 30, 1964 unless otherwise ordered.

It is further ordered, That this order shall be served upon the Association of American Railroads, Car Service Division, as Agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement and by filing it with the Director, Office of the Federal Register.

Issued at Washington, D.C., November 10, 1964.

INTERSTATE COMMERCE COMMISSION,
[SEAL] CHARLES W. TAYLOR,
Agent.

[F.R. Doc. 64-11618; Filed, Nov. 13, 1964; 8:47 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

NOVEMBER 10, 1964.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 39380: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 286), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in central States territory, on the one hand, and points in middle Atlantic and New England territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 17th revised page 47-A to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39381: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 287), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in central States territory, on the one hand, and points in middle Atlantic and New England territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 17th revised page 47-A to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39382: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 288), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in central States, middlewest and southwestern territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 19th revised page 69 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39383: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 289), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in central States territory, on the one hand, and points in middle Atlantic and New England territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 9th revised page 118-A to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39384: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 290), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in central States, middlewest and southwestern territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 25th revised page 222 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39385: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 292), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in central States, middlewest and southwestern territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 18th revised page 268 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39386: *Joint motor-rail rates—Eastern Central.* Filed by The Eastern Central Motor Carriers Association, Inc., agent (No. 291), for interested carriers. Rates on various commodities moving on class and commodity rates over joint routes of applicant rail and motor carriers, between points in middle Atlantic and New England territories, on the one hand, and points in central States and middlewest territories, on the other.

Grounds for relief: Motortruck competition.

Tariff: 16th revised page 219 to Eastern Central Motor Carriers Association, Inc., agent, tariff MF-I.C.C. A-230.

FSA No. 39387: *Corn to Gulf Ports for export.* Filed by Chicago, Rock Island and Pacific Railroad Company (No. 895), for itself and interested rail carriers. Rates on corn (not popcorn), in bulk, in carloads, subject to minimum weight of 500 tons of 2,000 pounds per shipment, from specified points in Iowa, to ports of Baton Rouge and New Orleans, La., Beaumont, Corpus Christi, Galveston, Houston, Port Arthur, and Texas City, Tex. (for export).

Grounds for relief: Port relationship.

Tariff: Supplement 13 to Chicago, Rock Island and Pacific Railroad Company, tariff I.C.C. C-13659.

FSA No. 39388: *Soda ash to Tucker, Ga.* Filed by Traffic Executive Association-Eastern Railroads, agent (E.R. No. 2750), for interested rail carriers. Rates on dense soda ash, in bulk, in covered hopper cars, in carloads, from specified points in Michigan, New York and Ohio, to Tucker, Ga.

Grounds for relief: Rate relationship.

Tariffs: Supplements 71 and 146 to Traffic Executive Association-Eastern Railroads, agent, tariffs I.C.C. C-334 and C-102, respectively.

FSA No. 39389: *Salt to points in southern territory.* Filed by Southwestern Freight Bureau, agent (No. B-8630), for interested rail carriers. Rates on salt, in carloads, from specified points in Louisiana, New Mexico, Oklahoma, and Texas, to points in southern territory.

Grounds for relief: Market competition.

Tariff: Supplement 32 to Southwestern Freight Bureau, agent, tariff I.C.C. 4562.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64–11609; Filed, Nov. 13, 1964; 8:46 a.m.]

[Notice 3]

FINANCE APPLICATIONS

NOVEMBER 9, 1964.

The following publications are governed by the Interstate Commerce Commission's general requirements governing notice of filing of applications under sections 5(2), 20a except (12), 20b, and 214 of the Interstate Commerce Act. The Commission's order of May 20, 1964, providing for such publication of notice, was published in the FEDERAL REGISTER, issue of July 31, 1964 (29 F.R. 11126) and became effective October 1, 1964.

All hearings and prehearing conferences, if any, will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local d.s.t., if that time is observed), unless otherwise specified.

F.D. No. 16252. By second supplemental application filed October 18, 1964, Chicago, Rock Island and Pacific Railroad Company, 139 West Van Buren Street, Chicago, Ill., 60605, seeks authority under section 5(2) of the Act to extend for ten years, from January 1, 1965, the expiration date of lease of the properties of Pullman Railroad Company and to continue the terms of said lease in all other respects for said extended period. Applicant's attorney: Thomas I. Megan, Assistant General Counsel, 139 West Van Buren Street, Chicago, Ill., 60605.

NOTE: Previous authority was granted by report and order, Division 4, dated November 17, 1949, and by a supplemental report and order, Division 4, dated January 20, 1955.

Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23356. By joint application filed October 26, 1964, Beard Land and Investment Co., 726 10th Street, Modesto, Calif., Modesto Interurban Railway, 530 11th Street, Modesto, Calif., and Modesto and Empire Traction Company, 530 11th Street, Modesto, Calif., seeks authority under section 5(2) of the Act to merge the properties and franchises of Modesto Interurban Railway and Modesto and Empire Traction Company into Beard Land and Investment Company. Applicants' attorney: Frederick O. Koenig, McCutchen, Doyle, Brown, Trautman & Enersen, 601 California Street, San Francisco, Calif., 94108. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23357. By application filed October 27, 1964, Transcon Lines, 1206 South Maple Avenue, Los Angeles, Calif., 90054, seeks authority under section 214 of the Act to issue an unsecured promissory installment note or notes in an aggregate amount not to exceed $3,100,000, or a lesser amount equal to the balance due after the cash payment has been applied to the established purchase price of Indianapolis-Kansas City Motor Express Company and Decatur Seaway Motor Express, Inc. Applicant's attorneys: Lee Reeder and W. E. Griffin, Reeder, Griffin & Dysart, 1221 Baltimore Avenue, Kansas City 5, Mo. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

NOTE: No. MC–F–8923 has been filed simultaneously.

F.D. No. 23362. By application filed October 29, 1964, Alleghany Corporation, 350 Park Avenue, New York, N.Y., 10022, seeks authority under sections 20a and 214 of the Act to issue two promissory notes in the amount of $20,000,000 each, bearing interest at the rate of 4½ percent. Applicant's attorneys: David G. Macdonald, Esquire, Suite 502, Solar Building, 1000 16th Street, NW., Washington, D.C., 20036, and John E. Tobin, Esq., Donovan, Leisure, Newton & Irvine, Two Wall Street, New York, N.Y., 10005. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23364. By application filed October 28, 1964, Missouri Pacific Railroad Company, 210 North 13th Street, St. Louis, Mo., 63103, seeks authority to acquire trackage rights over the Chicago, Burlington and Quincy Railroad Company between Winthrop and Donovan, within the switching limits of St. Joseph, Mo., a total distance of approximately 18.209 miles, and over a short portion of the approximately 320 feet connecting track to be constructed, pursuant to authority sought in a related application, at Donovan, St. Joseph, Mo., the subject portion being that located on Chicago, Burlington & Quincy Railroad Company right of way. Applicant's attorney: Mark M. Hennelly, Vice President and General Counsel, Missouri Pacific Railroad Company, 210 North 13th Street, St. Louis, Mo., 63103. Protest must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23370. By joint application filed November 3 1964, Atlantic Coast Line Railroad Company, 500 Water Street, Jacksonville, Fla., 32202, and Louisville and Nashville Railroad Company, 908 West Broadway, Louisville, Ky., 40201, seeks authority under section 20a of the Act to assume obligation and liability in respect of $3,945,000 aggregate principal amount of Clinchfield Railroad Serial Equipment Trust Certificates, Series E, and the sale thereof. Applicants' attorneys: F. J. Primosch, Secretary and Vice President, Atlantic Coast Line Railroad Company, 220 East 42d Street, New York, N.Y., 10017, and J. A. Kilduff, Assistant Vice President, Louisville and Nashville Railroad Company, 220 East 42d Street, New York, N.Y., 10017. Protest must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23288 Sub No. 1. By application filed November 4, 1964, Union Pacific Railroad Company, 1416 Dodge Street, Omaha, Nebr., 68102, seeks under section 20a of the Act, such authority, if any, as may be necessary in connection with the issuance by Chicago, Rock Island and Pacific Railroad Company of Certificates of Deposit in respect of not exceeding 2,991,411 shares of its common stock. Applicant's attorneys: Frank E. Barnett, Vice President and General Counsel, 120 Broadway, New York, N.Y., 10005, and F. J. Melia, Vice President and Western General Counsel, 1416 Dodge Street, Omaha, Nebr., 68102. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23371. By application filed November 2, 1964, Quinn Freight Lines, Inc., 1093 North Montello Street, Brockton, Mass., seeks authority under section 214 of the Act to issue an installment note in the principal amount of $400,000, bearing interest at the rate of 5¾ percent per annum. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23377. By application filed November 5, 1964, The Denver and Rio Grande Western Railroad Company, 1531 Stout Street, Post Office Box 5482, Denver, Colo., 80217, seeks authority under section 20a of the Act to assume obligation and liability, as guarantor, in respect of not exceeding $6,420,000 of its Equipment Trust Certificates, Series DD. Applicant's attorney, T. A. White, General Solicitor, 1531 Stout Street, Post Office Box 5482, Denver, Colo., 80217. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23378. By application filed November 5, 1964, Signal Trucking Service, Ltd., a California corporation, 4455 Fruitland Avenue, Los Angeles 58, Calif., seeks authority under section 214 of the Act to issue a promissory note in the sum of $225,804, bearing interest at the rate of 6 percent per annum, secured by a chattel mortgage on property of applicant. Applicant's attorney: Edward M. Berol, Berol, Loughran and Geernaert, 100 Bush St., San Francisco, Calif., 94104. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64–11610; Filed, Nov. 13, 1964; 8:46 a.m.]

[Notice 1077]

MOTOR CARRIER TRANSFER PROCEEDINGS

NOVEMBER 10, 1964.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the

order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 67154. By order of November 6, 1964, the Transfer Board approved the transfer to P. J. Motorway, Inc., Palatine, Ill., of Certificate of Registration in No. MC 121084 Sub 1, issued December 20, 1963, to Robert Poole, doing business as P. J. Motorway, Palatine, Ill., authorizing the transportation of: Packaged merchandise within a fifty (50) mile radius from 1006 West Lake Street, Chicago, Ill. George M. Hilgendorf, Suite 2020, 111 West Washington Street, Chicago, Ill., 60602, attorney for applicants.

No. MC–FC 67167. By order of November 6, 1964, the Transfer Board approved the transfer to Bridgeport Cartage Service, Inc., Bridgeport, Conn., of the operating rights in Certificate of Registration No. MC 121208 Sub 1, issued April 9, 1964, to Frederick Hargrove, doing business as Wilson Trucking Service, Bridgeport, Conn., corresponding to the grant of intrastate authority to transferor, pursuant to Motor Common Carrier Certificate No. C–798, dated May 1, 1961, issued by the Public Utilities Commission of the State of Connecticut. G. Sarsfield Ford, 955 Main Street, Bridgeport, Conn., attorney for applicants.

No. MC–FC 67223. By order of November 6, 1964, the Transfer Board approved the transfer to Warren Reigle, Brunswick, Nebr., of the operating rights in Certificate No. MC 69060, issued August 26, 1960, to Reigle Bros. Co., a corporation, Brunswick, Nebr., authorizing the transportation, over irregular routes, of general commodities, excluding household goods and other specified commodities, between Brunswick, Nebr., and points in Nebraska within 25 miles of Brunswick, on the one hand, and, on the other, Sioux City, Iowa.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 64–11611; Filed, Nov. 13, 1964; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

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